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Jun 20 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
The Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

NAZARETH N. SANCHEZ-PERALTA,

APPELLANT.

Appellate Case No. 2023-001588

**EMERGENCY MOTION FOR FIFTH PARTIAL EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

The undersigned counsel would respectfully request an EMERGENCY FIFTH AND FINAL three (3) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed today, Friday, June 20, 2025. Counsel is further aware that this court has granted four extensions and stated that no further extensions would be granted. However, counsel has been working diligently to complete review of this matter, which has a record in excess of 2,500 pages, multiple audio and video exhibits, and deals with seven issues on appeal. Additionally, the undersigned attorney has had a number of state, and federal matters to attend to since May 22, 2025. Specifically:

1. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Theodore J. Bolick vs. Donnie Stonebreaker, C/A No. 5:24-cv-7662-MGL-KDW on May 23, 2025;
2. Counsel filed the Respondent's Amended Return and Memorandum of Law in Support of Motion for Summary Judgment as per Text Order ECF #44 in the matter of Trevin Milledge vs. Warden Lavern Cohen, C/A No. 8:24-05201-MGL-WSB on May 30, 2025;
3. Counsel filed the Respondent's Reply to Response in Opposition to Motion to Strike [ECF #34] in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on June 4, 2025;
4. Counsel filed the Respondent's response to Motion for Preliminary Injunction [ECF #52] in the matter of Theodore J. Bolick, a/k/a Theodore Jerry Bolick vs. Donnie Stonebreaker, C/A No. 5:24-7662-MGL-KDW on June 6, 2025;
5. Counsel filed the Respondent's Reply to Response in Opposition to Motion to Dismiss [ECF #57] in the matter of Theodore J. Bolick, a/k/a Theodore Jerry Bolick vs. Donnie Stonebreaker, C/A No. 5:24-7662-MGL-KDW on June 10, 2025;
6. Counsel filed the Respondent's Response to Motion to Appoint Counsel [ECF #35] in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on June 11, 2025;
7. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #37] in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on June 13, 2025;
8. Counsel filed the Reply to Petitioner's Objections to Report and Recommendation [ECF #36] in the matter of Jamal Hakeem v. Warden of Turbeville Correctional Institution, C/A No. 1:24-6658-CMC-SVH today, June 20, 2025;
9. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for these extraordinary circumstances, counsel respectfully requests a FIFTH AND FINAL three (3) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay. This extension will make Respondent's Initial Brief due on June 23, 2025.

Respectfully Submitted,

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By: s/R. Brandon Larrabee
R. BRANDON LARRABEE
ATTORNEYS FOR RESPONDENT

June 20, 2025.

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PROOF OF SERVICE

I, R. Brandon Larrabee, counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Emergency Motion for Fifth Partial Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Gary Johnson, Esq., via email today, June 20, 2025 to ghjohnson@sccid.sc.gov and to his assistant at sleverett@sccid.sc.gov.

I further certify that all parties required by Rule to be served have been served.

This 20th day of June, 2025.

s/ R. Brandon Larrabee

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