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Jun 23 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Colleton County
The Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

Respondent,

v.

JUSTIN COLE CARROLL,

Appellant.

Appellate Case No. 2024-000722

**MOTION FOR THIRD EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel has graciously consented to all extensions through June 30, 2025. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter is due today, Monday, June 23, 2025, as per this Court's Order granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since May 2025. Specifically,

1. Counsel prepared and filed the Response to Applicant's Motion to Alter or Amend Judgment on May 23, 2025, in the capital Post-Conviction Relief matter of Ricky Lee Blackwell, #6033 v State of South Carolina, C/A No. 2018-CP-42-00928;
2. Counsel prepared and filed the Return and Memorandum of Law in Support of Summary Judgment and Motion for Summary Judgment on May 28, 2025, in the matter of David James Lamont Brice v. Warden, Lee Correctional Institution, C/A No. 0:25-cv-510-MGL-PJG, a matter pending in the District Court;
3. Counsel prepared and provided to the Honorable Robert E. Hood the Proposed Order of Dismissal in the Capital PCR Action of Gary Dubose Terry, #5054 v. State of South Carolina, C/A No. 2022-CP-32-00924, on June 2, 2025;
4. Counsel prepared and filed the Initial Brief and Designation of Matter in the case of The State of South Carolina v. Samantha Ford Rabon, Appellate Case No. 2024-000330 on June 6, 2025, a matter pending in this Court;
5. Counsel prepared and presented Oral Argument in the matter of The State v. Jeremy Savoy Cornish, Appellate Case No. 2022-001536 on June 11, 2025 @ 10:40 am, a matter pending in this Court;
6. Counsel is working on the Return and Memorandum of Law in Support of Summary Judgment and Motion for Summary Judgment due on June 26, 2025, in the matter of Daniel S. Means v. Warden Jackson, C/A No. 0:24-cv-7497-BHH-PJG, a matter pending in the District Court;
7. This request is not made for the purpose of delay but due to the foregoing.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief and Designation of Matter.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

TOMMY EVANS, JR.
Assistant Attorney General


By: s/Tommy Evans, Jr.
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ATTORNEY FOR RESPONDENT

June 23, 2025

[signature block continued next page]

I support the finding of good cause.

By: 

MELODY J. BROWN
Senior Assistant Deputy Attorney General

June 23, 2025

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PROOF OF SERVICE

I, Tommy Evans, Jr., hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Third Extension to file the Initial Brief of Respondent, Designation of Matter, and Proof of Service has been forwarded to Appellant's counsel, Robert M. Dudek via email today, June 23, 2025 to rdudek@sccid.sc.gov and to Mr. Dudek's assistant, Kaylynn Warren, to kwarren@sccid.sc.gov.

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

This is the 23rd day of June 2025.

s/Tommy Evans, Jr.

Tommy Evans, Jr.

S.C. Bar No. 12990

Post Office Box 11549

Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT