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Jul 21 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Lexington County
The Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

Respondent,

v.

LAVON BERNARD JULIUS,

Appellant.

Appellate Case No. 2023-001994

**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 serve and file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel has graciously consented to all extension requests through July 31, 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, July 21, 2025, as per this Court's Order granting Respondent's third extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since June 2025 when the Court granted Respondent's second extension. Specifically:

1. Counsel prepared and filed the Return and Memorandum of Law in Support of Summary Judgment and Motion for Summary Judgment on June 23, 2025 in the matter of Levern McCrea a/k/a Leverne McCrea v. Warden Bailey, C/A No. 4:25-cv-2680-DCN-

KDW;

2. Counsel prepared and filed the Return to Petition for Writ of Certiorari on June 23, 2025, in the matter of Clyde Bowen Davis, #357153 v. The State of South Carolina, Appellate Case No. 2025-000100;
3. Counsel prepared and filed the Return and Motion to Dismiss and proposed Conditional Order of Dismissal on June 25, 2025, in the PCR Action of Stephon Hawkins v. State of South Carolina, Case No. 2021-CP-23-5610;
4. Counsel prepared and filed the Return on June 25, 2025, in the Post-Conviction Relief Action of Makel Mayfield v. State of South Carolina, Case No. 2024-CP-23-1316
5. Counsel prepared and filed the Return on June 26, 2025 in the Post-Conviction Relief Action of Eric Peterson v. State of South Carolina, Case No: 2023-CP-23-5708;
6. Counsel prepared and filed the Return on June 26, 2025 in the Post-Conviction Relief Action of Jorge Luna v. State of South Carolina, Case No: 2024-CP-23-4707;
7. Counsel prepared and filed the Return on July 1, 2025 in the Post-Conviction Relief Action of Joshua Garrett v. State of South Carolina, Case No: 2024-CP-23-1405;
8. Counsel prepared and filed the Return July 2, 2025 in the Post-Conviction Relief Action of Samantha Pfau v. State of South Carolina, Case No: 2024-CP-23-6785;
9. Counsel prepared and filed the Return July 7, 2025 in the Post-Conviction Relief Action of Zachary Powell v. State of South Carolina, Case No: 2024-CP-39-0771;
10. Prepared and filed the Return and Motion to Dismiss and proposed Conditional Order of Dismissal on July 10, 2025 in the PCR Action of *Veronica Tharp v. State of South Carolina*, Case No: 2023-CP-23-4160;

11. Counsel prepared and filed the Return and Memorandum of Law in Support of Summary Judgment and Motion for Summary Judgment on July 18, 2025 in the matter of Charles Jacob Bridges a/k/a Charles J. Bridges, #20170897 v. Warden of Lieber Correctional Institution, C/A No. 5:25-1372-RMG-KDW.

Due to counsel's involvement in these and other matters pending in court, counsel has been unable to complete the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, counsel respectfully requests a thirty (30) 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.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
S.C. Bar No: 14244

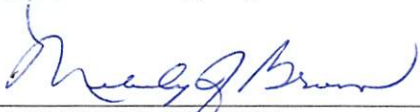
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By: s/Kaylee C. Kemp
Kaylee C. Kemp
Assistant Attorney General
ATTORNEYS FOR RESPONDENT

July 21, 2025

[signature page continues next page]

I support the finding of good cause.

By: 

MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

The undersigned certifies that pursuant to Rule 262(c)(3), SCACR and the Supreme Court order April 24, 2024, the Third Extension of Time to file the Initial Brief and Designation of Matter have been forwarded to Appellant's counsel, Jordan Wayburn, Esquire, via email today, July 21, 2025, at JWayburn@sccid.sc.gov and to his assistant, Chris Stock at CStock@sccid.sc.gov.

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

This is the 21st day of July 2025.

s/Kaylee C. Kemp
Kaylee C. Kemp
Assistant Attorney General

Brandy Rankin

From: Brandy Rankin
Sent: Monday, July 21, 2025 4:44 PM
To: jwayburn@sccid.sc.gov
Cc: Stock, Chris; Kaylee Kemp
Subject: The State v. Lavon Bernard Julius - Third Motion for Extension to file Initial Brief & Designation of Matter - Appellate Case No. 2023-001994
Attachments: Third Extension to file IBOR-DOM - Julius.pdf

Dear Mr. Wayburn,

Please find attached the Respondent's Third Motion for Extension to file the Initial Brief & Designation of Matter. Also attached is the Proof of Service. These documents will be filed today, July 21, 2025, with the South Carolina Court of Appeals along with a copy of this email. Thanks!

Sincerely,

Brandy Rankin

Brandy Rankin, Legal Assistant to Kaylee C. Kemp
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
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