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Aug 21 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

The Honorable Grace Gilchrist Knie, Circuit Court Judge

THE STATE,

Respondent,

v.

DENARDIS JAMON KILGO,

Appellant.

Appellate Case No. 2024-000567

**MOTION FOR LEAVE TO FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER OUT OF TIME
&
MOTION TO AMEND INITIAL BRIEF**

The Initial Brief of Respondent and Designation of Matter was due on August 20, 2025. Respondent submitted the Initial Brief, Designation of Matter, and Proof of Service to opposing counsel and this Court approximately twenty-five minutes past the deadline on August 21, 2025. Respondent inadvertently missed the deadline to file the Initial Brief of Respondent and Designation of Matter and seeks permission to file the same out of time and additionally to amend the Initial Brief for the following reasons:

1. Due to counsel's caseload in state and federal court, counsel underestimated the schedule for the completion of the brief, and despite best efforts, submitted the Initial Brief and Designation of Matter past the deadline.

2. Counsel seeks to elaborate on the statement of facts and make minor edits to the formatting of the brief, so as to properly conform with South Carolina Appellate Court Rules.

2. Undersigned counsel has consulted with opposing counsel, Gary Johnson, Esq., who does not oppose the motion and leaves resolution in the sound discretion of this Court.

3. Respondent has prepared the Amended Initial Brief of Respondent and is conditionally filing the same with this motion for acceptance and filing if this Court grants this motion.

WHEREFORE, based on the foregoing, Respondent respectfully requests this Court grant this motion to file the Initial Brief of Respondent and Designation of Matter out of time, and grant Respondent's motion to amend the Initial Brief.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

KAYLEE C. KEMP
Assistant Attorney General
S.C. Bar No: 107073

Kaylee C. Kemp

s/ _____

KAYLEE C. KEMP

Office of the Attorney General
P.O. Box 11549
Columbia, South Carolina 29211
Telephone: (803) 734-6307

August 21, 2025
Columbia, South Carolina

ATTORNEYS FOR RESPONDENTS