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Oct 10 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
The Honorable Carmen T. Mullen, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

TERRANCE WING,

APPELLANT.

Appellate Case No. 2024-000637

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

The undersigned counsel would respectfully request a THIRD thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Counsel for Appellant has graciously consented to extension requests through October 31, 2025. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed Monday, October 13, 2025. The undersigned attorney has had a number of state, and federal matters to attend to since September 10, 2025. Specifically:

1. Counsel prepared for a hearing on September 10, 2025 in the capital matter of John Richard Wood, #6005 vs. State of South Carolina, Case No. 2022-CP-23-0219;
2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Ben Robert Stewart vs. Warden of Tyger

- River Correctional Institution, C/A No. 1:25-2909-JFA-SVH on September 12, 2025;
3. Counsel filed the Response to Motion for Evidentiary Hearing and Response to Motion for Summary Judgment in the matter of Billy Ray Smith vs. Warden, Perry Correctional Institution, C/A 1:25-692-CMC-SVH on September 15, 2025;
 4. Counsel filed the Initial Brief of Respondent in the Laurens County direct appeal matter of The State vs. Timothy Paul Spencer, Appellate Case No. 2024-000685 on September 22, 2025;
 5. Counsel filed the Final Brief of Respondent in the Lexington County direct appeal matter of The State vs. Nicolle N. Sanchez-Peralta, Appellate Case No. 2023-001588 on September 25, 2025;
 6. Counsel also filed the Respondent's Response to Motion to Stay and Abeyance [ECF #8] in the matter of Nicholas A. Bonner vs. Warden Curtis Early, C/A No. 8:25-11154-DCN-WSB on September 25, 2025;
 7. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #24], in the matter of Silvester Desmond Scott, a/k/a Sylvester Desmond Scott vs. Warden Martell, C/A No. 9:25-00758-BHH-MHC on September 26, 2025;
 8. Counsel filed the Respondent's Reply to Petitioner's Response in Opposition to Motion for Summary Judgment [ECF #65] in the matter of Ben Robert Stewart vs. Warden of Tyger River Correctional Institution, C/A No. 1:25-2909-JFA-SVH on October 6, 2025;
 9. Counsel is preparing the Respondent's responses to the following in the matter of Ben Robert Stewart vs. Warden of Tyger River Correctional Institution, C/A No. 1:25-cv-2909-JFA-SVH. Specifically, Motion to remand [ECF #63]; Motion for Discovery [ECF 62]; Motion to Appoint Guardian *ad Litem* [ECF #61]; and Motion to Strike [ECF #60]. Same are to be filed today, October 10, 2025;
 10. Counsel is currently working on the Return to Amended Petition for Writ of Habeas Corpus [ECF #25] in the matter of Eddie Jerome Motts vs. Warden of Evans Correctional Institution, C/A No. 8:25-5046-JD-WSB; and
 11. Counsel has been involved in working on other matters in state and federal court as well.

Thus, counsel respectfully requests a thirty (30) day extension of time to allow counsel to complete the Initial Brief of Respondent. This is Respondent's third request for additional time to do so.

WHEREFORE, for the following circumstances, counsel respectfully requests a THIRD 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. This extension will make Respondent's Initial Brief due on November 12, 2025.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General


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

October 10, 2025.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, **R. Brandon Larrabee**, of counsel for the Respondent, hereby certify that pursuant to Rule 262(c)(3), SCACR and the Supreme Court Order of April 24, 2024, the Third Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Joanna K. Delany, Esq., via email today, October 10, 2025 to jdelany@sccid.sc.gov and to her assistant at smcinnis@sccid.sc.gov.

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

This 10th day of October, 2025.

s/ R. Brandon Larrabee

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