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**Nov 14 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Chester County  
The Honorable Donald B. Hocker, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

GENE ALEXZANDER SCOTT,

APPELLANT.

Appellate Case No. 2024-000900

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

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The undersigned counsel would respectfully request a third thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. This is a third extension request. In support of this motion, counsel would respectfully show the Court the following good cause:

Respondent's Initial Brief is due to be filed today, Friday, November 14, 2025. Counsel for Appellant, Jordan Wayburn, Esq. has graciously consented to this extension requests up and until November 30, 2025. The undersigned attorney has had a number of personal, state, and federal matters to attend to since October 15, 2025. Specifically,

1. Counsel prepared for and presented Oral Argument to the United States Court of Appeals in the Fourth Circuit on October 21, 2025, in the matter of K. C. Langford v. Warden Donnie Stonebreaker, Jr., Warden, Evans Correctional Institution, Case No. 24-7118 (appeal from C/A No. 9:20-cv-01298-DCC);
2. Counsel filed the Respondent's Reply to the Objections to Report and Recommendation [ECF #35] in the matter of Billy Ray Smith vs. Warden, Perry Correctional Institution, C/A No. 1:25-692-CMC-SVH on October 28, 2025;
3. Counsel prepared for and presented Oral Argument at the South Carolina Court of Appeals in the Florence County direct appeal matter of The State vs. Mason Christopher Yarborough, Appellate Case No. 2023-000694 on Tuesday, November 4, 2025;
4. Counsel prepared the Initial Brief of Respondent in the Lee County direct appeal matter of The State v. Stephen J. Green, Appellate Case No. 2024-001684 on November 7, 2025;
5. Counsel also prepared a Reply to Objection to Report and Recommendation [ECF #43] in the matter of Anthony M. Hudson vs. Warden Tonya James, C/A No. 4:25-cv-2575-JFA-TER on November 10, 2025; and
6. Counsel has been involved in working **on other matters in state and federal court.**

However, due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Initial Brief in this matter. This request is made in good faith, and not for the purposes of delay.

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

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

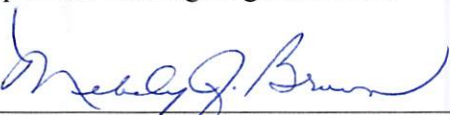
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

R. BRANDON LARRABEE  
Assistant Attorney General  
State I.D. No. 104865

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

November 14, 2025.

I support the finding of good cause.

By:   
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

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**PROOF OF SERVICE**

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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, Jordan Wayburn, Esq., via email today, November 14, 2025 to [jwayburn@sccid.sc.gov](mailto:jwayburn@sccid.sc.gov) and to his assistant at [cstock@sccid.sc.gov](mailto:cstock@sccid.sc.gov).

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

This 14<sup>th</sup> day of November, 2025.

*s/ R. Brandon Larrabee*

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