

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Cherokee County  
The Honorable R. Keith Kelly, Circuit Court Judge

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**RECEIVED**  
**Dec 02 2025**  
**SC Court of Appeals**

THE STATE,

Respondent,

v.

EDWARD VINCENT BAYNARD,

Appellant.

Appellate Case No. 2024-001912

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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 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 December 31, 2025. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter are due today, December 2, 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 November 2025. Specifically,

1. Counsel prepared for and presented Oral Argument to The South Carolina Court of Appeals on November 4, 2025, in the matter of The State v. Gabriel Dantray Curry, Appellate Case No.

2022-000966;

2. Counsel prepared and presented Oral Argument to The South Carolina Court of Appeals on November 12, 2025, in the matter of The State v. Genari Gresean McNeil, Appellate Case No. 2023-000591;

3. Counsel filed the Initial Brief and Designation of Matter on November 14, 2025, in the case of The State v. Jeffrey Michael George, Appellate Case No. 2024-001653, a matter pending in this the South Carolina Court of Appeals;

4. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment on November 13, 2025, in the matter of Breon J. Alexandre v. Warden, Lieber Correctional Institution, C/A No. 0:25-cv-5626-RMJ-PJG, a matter pending in the this Court;

5. Counsel is preparing to participate in a hearing on December 5, 2025, at 9:30 am in the Capital Post Conviction Relief case of Timothy Jones vs. The State of South Carolina, Case No. 2024-CP-32-1312;

6. Counsel is preparing to present Oral Argument to the South Carolina Court of Appeals on December 9, 2025 @ 10:00 am, in the matter of The State v. Travontae Jahwan Mitchell, Appellate Case No. 2023-001323;

7. Counsel is preparing to present Oral Argument to the South Carolina Court of Appeals on December 9, 2025 @ 10:40 am, in the matter of The State v. Che Leon Ransom, Appellate Case No. 2023-001348;

8. Counsel is working on other state and federal matters, and 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.  
TOMMY EVANS, JR.  
No. 7448  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

ATTORNEY FOR RESPONDENT

I support the finding of good cause.

By:   
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

December 2, 2025

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**PROOF OF SERVICE**

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I, Tommy Evans, Jr., certifies that pursuant to Rule 262(c)(3), SCACR and the Supreme Court order of April 24, 2024, the third extension to file the Initial Brief of Respondent, Designation of Matter and Proof of Service have been forwarded to Appellant's counsel, David Alexander via email today, December 2, 2025 to Wanda Carter @ [WCarter@sccid.sc.gov](mailto:WCarter@sccid.sc.gov) and to Ms. Carter's legal assistant, Scott Leverett, to [SLeverett@sccid.sc.gov](mailto:SLeverett@sccid.sc.gov).

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

This is the 2nd day of December 2025.

*s/Tommy Evans, Jr.*

Tommy Evans, Jr.

S.C. Bar No. 12990

Post Office Box 11549

Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT