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Dec 15 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

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

THE STATE,

RESPONDENT,

v.

GENE ALEXZANDER SCOTT,

APPELLANT.

Appellate Case No. 2024-000900

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

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

Respondent's Initial Brief is due to be filed Monday, December 15, 2025. Counsel for Appellant, Jordan Wayburn, Esq. has graciously consented to this extension requests up and until January 14, 2026. The undersigned attorney has had a number of state, and federal matters to attend to since November 12, 2025. Specifically,

1. Counsel prepared the Motion to Alter or Amend Judgment in the Sumter County capital matter of Bobby Wayne Stone vs. State of South Carolina, Docket No. 2018-CP-43-1025 on November 24, 2025;

2. Counsel filed the Final Brief of Respondent in the Charleston County direct appeal matter of The State of South Carolina vs. Courtney Charles Cordae Richards, Appellate Case No. 2024-001274 on December 3, 2025;
3. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Eddie J. Motts vs. Warden of Evans Correctional Institution, C/A No. 8:25-cv-5046-JD-WSB on December 8, 2025;
4. Counsel also filed the Final Brief of Respondent in the Beaufort County direct appeal matter of The State vs. Stephen Quinton Polite, Appellate Case No. 2024-000692 on December 8, 2025;
5. Counsel is currently preparing the Initial Brief of Respondent in the matter of The State vs. Terrance Wing, Jr., Appellate Case No. 2024-000637, a Beaufort County criminal appeal matter now pending before the South Carolina Court of Appeals. Same is due to be filed today, December 12, 2025; and
6. Counsel has been involved in working on other matters in state and federal court as well.

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 fourth 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

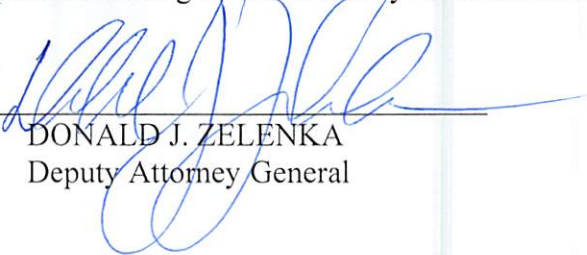
Senior Assistant Deputy Attorney General

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


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

December 12, 2025.

I support the finding of extraordinary circumstances.

By: 
DONALD J. ZELENKA
Deputy Attorney General

I further support the finding of extraordinary circumstances.

By: 
W. JEFFREY YOUNG
Chief 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 Fourth 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, December 12, 2025 to jwayburn@sccid.sc.gov and to his assistant at cstock@sccid.sc.gov.

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

This 12th day of December, 2025.

s/ R. Brandon Larrabee _____

R. Brandon Larrabee
Assistant Attorney General
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