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Mar 16 2026

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
The Honorable Patrick Cleburne Fant, III, Circuit Court Judge

Appellate Case No. 2024-002140

THE STATE,

Respondent,

vs.

ISRAEL MALACHI ROBINSON,

Appellant.

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

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

Respondent's Initial Brief is due today, March 16, 2026, upon this Court's grant of Respondent's second request for an extension filed on February 10, 2026. Specifically,

1. In the following non-capital post-conviction relief matters: Counsel prepared for and attended the hearing on the State's Motion to Reconsider in the matter of Gene Y. Burks v. State of South Carolina, Docket No. 2024-CP-08-02946 on February 19, 2026; counsel prepared for and attended the hearing on the State's Motion for

Discovery in the matter of Michael L. Schmidt vs. State of South Carolina, Docket No. 2020-CP-10-01047 on February 20, 2026; counsel also prepared for and attended a status conference in the matter of Michael L. Schmidt vs. State of South Carolina, on February 13, 2026; Counsel prepared and submitted the Order of Dismissal in the matter of Therron Richardson vs. State of South Carolina, Docket No. 2023-CP-10-02282; counsel prepared and submitted the Order of Dismissal in the matter of Preston R. Oates vs. State of South Carolina, Docket No. 2018-CP-07-01226; counsel prepared and submitted the Order of Dismissal in the matter of James A. Gardner vs. State of South Carolina, Docket No. 2017-CP-25-00006 on March 9, 2026; counsel prepared and submitted the Order of Dismissal in the matter of Ralph B. Coleman vs. State of South Carolina, Docket No. 2014-CP-38-01591; and counsel also prepared and submitted a Return opposing Motion to Alter/Amend in the matter of Walter Tucker vs. State of South Carolina, Docket No. 2019-CP-07-01498;

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the Federal Habeas matter of Kendall Allen Gamble vs. Warden Bailey, C/A No. 9:25-13441-RMG-MHC on February 27, 2026;
3. Counsel also filed the Brief of Respondent in the Post-Conviction Relief Appeal matter of Sidney Holmes vs. State of South Carolina, Appellate Case No. 2023-001946 on March 9, 2026;
4. Counsel filed the Return to Petition for Writ of Certiorari in the South Carolina Supreme Court direct appeal matter of The State vs. Timothy Thompson, Appellate Case No. 2026-000109 on March 12, 2026; and
5. Counsel has finished preparing the Federal Habeas Return and Memorandum of Law

in Support of Motion for Summary Judgment in the matter of Earnest Stewart Daise vs. Warden Jonathan Nance, C/A No. 5:25-14014-DCN-KDW. Same is currently due to be filed on March 18, 2026.

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 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

DANIELLE DIXON
Assistant Attorney General
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By: s/ Danielle Dixon
DANIELLE DIXON
ATTORNEYS FOR RESPONDENT

March 16, 2026.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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Appellant.

PROOF OF SERVICE

I, **Danielle Dixon**, 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 Motion for Extension of Time has been forwarded to Appellant's counsel, Kathrine H. Hudgins, Esq., via email today, March 16, 2026 to khudgins@sccid.sc.gov, and to her assistant at cstock@sccid.sc.gov.

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

This 16th day of March, 2026.

s/ Danielle Dixon

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