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Apr 10 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Colleton County
Honorable Marvin H. Dukes, III, Circuit Court Judge
Appellate Case No. 2025-000621

THE STATE,

Respondent,

vs.

JESSE SEBASTIAN BROUGHTON,

Appellant.

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

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on April 10, 2026.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. On today’s date, the undersigned counsel intends to submit an Initial Brief of Respondent and Designation of Matter to the Court

of Appeals in State v. James Austin Edward Townsend. Additionally, earlier this week, the undersigned counsel has submitted a Petition for Rehearing to the Court of Appeals in Anthony Briggs v. State and a Motion to File Supplemental Record on Appeal and Amended Designation of Matter, Supplemental Record on Appeal, and Amended Designation of Matter to the Court of Appeals in State v. Mazar Nathaniel Sturdivant. Furthermore, in the past few weeks, the undersigned counsel participated in oral argument before the Supreme Court at Presbyterian College in Maurice Roberts v. State, submitted a Return to Petition for Writ of Certiorari in the Supreme Court in Gary Lamont Petty v. State, and submitted a Return to Petition for Rehearing to the Court of Appeals in State v. Ronald Lee Lyons. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case involves a constitutional challenge to the trial judge’s jury instructions. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload and other issues that have required the undersigned counsel’s attention. Accordingly, to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

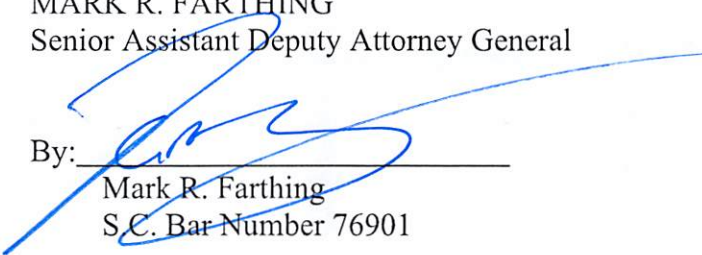
WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on

Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

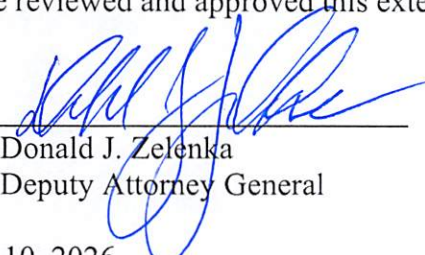
Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Deputy Attorney General

By: 
Mark R. Farthing
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

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PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for the Fourth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Sarah E. Shipe, Esquire
S.C. Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, SC 29201

I further certify all parties required by Rule to be served have been served.
This 10th day of April, 2026.



CAROLINE COLLINS
Administrative Support Manager
Office of the Attorney General