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May 12 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Greenville County
The Honorable Patrick C. Fant, III, Circuit Court Judge

THE STATE,

Respondent,

v.

ZACHARY DAVID HUGHES,

Appellant.

Appellate Case No. 2025-000367

**MOTION FOR FOURTH 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 and Designation of Matter in the above-reference case. Opposing counsel has graciously consented to this extension request. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter are due today, May 12, 2026, as per this Court's Order granting Respondent's third extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since April 2026. Specifically,

1. Counsel prepared and presented Oral Argument in the matter of The State v. Karseem Hardaway, Appellate Case No. 2024-001245 on April 14, 2026, a matter pending in this Court;

2. Counsel prepared and filed the Initial Brief and Designation of Matter on April 20, 2026, in the matter of The State v. Terry Paige, Appellate Case No. 2025-001075, a matter pending in this Court;

3. Counsel prepared and filed the State's Proposed Order Denying Rule 59(e) Relief in the Post Conviction Relief matter of Michael Schmidt v. The State, 2020-CP-10-01047 on April 27, 2026, a matter pending in the Circuit Court;

4. Counsel prepared and filed the State's Brief of Petitioner in the Post Conviction Relief appeal matter of Ronnie Swofford v. The State, Appellate Case No. 2025-002073 on April 28, 2026, a matter pending in the South Carolina Supreme Court;

5. Counsel prepared and filed a Response in Opposition to Petitioner's Motion to Lift Stay and Motion for Summary Judgment in the matter of Henry Dukes v. Warden, Lee Correctional Institution, C/A No: 4:19-cv-1211-TMC-TER on April 30, 2026, a matter pending in the United States District Court;

6. Counsel prepared and filed the Motion for Summary Judgment and Return and Memorandum of Law in Support of Summary Judgment in the matter of Mark Curry v. Warden, Allendale Correctional Institution, C/A No: 0:26-cv-00957-JFA-PJG on May 6, 2026, a matter pending in the United States District Court.

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

P. SANDERS LINKER
Assistant Attorney General

By: s/P. Sanders Linker
P. Sanders Linker
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ATTORNEY FOR RESPONDENT

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, P. Sanders Linker, certifies that pursuant to Rule 262(c)(3), SCACR and the Supreme Court order of April 24, 2024, the Motion for Extension of Time to file the Initial Brief of Respondent, Designation of Matter and Proof of Service have been forwarded to Appellant's counsel, Andrew B. Moorman, Sr., Esquire and Mark Moyer, Esquire via email today, May 12, 2026 to andy@andymooremanlaw.com and mark@markmoyerlaw.com .

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

This is the 12th day of May 2026.

s/P. Sanders Linker

P. Sanders Linker

S.C. Bar No. 107688

Post Office Box 11549

Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT

Brittany Kilgore

From: Brittany Kilgore
Sent: Tuesday, May 12, 2026 2:47 PM
To: mark@markmoyerlaw.com; Andrew Moorman
Cc: Sanders Linker
Subject: The State v. Zachary Hughes (2025-000367)
Attachments: Hughes Motion for Extension.pdf

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SC Court of Appeals

Counsel, please find attached the State's Fourth Motion for Extension of Time to Serve and File the Initial Brief of Respondent and Designation of Matter in the above reference of appeal. The motion will be electronically filed with the South Carolina Court of Appeals on today's date.

Thank you,
Brittany Kilgore