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Jul 01 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Colleton County
The Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

Respondent,

v.

KURTINO DAMON WEATHERSBEE,

Appellant.

Appellate Case No. 2025-000246

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

The undersigned counsel would respectfully request a ten (10) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-reference case. Opposing counsel has consented to all extension requests through July 1, 2026. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter are due today, July 1, 2026, as per this Court's Order dated June 1, 2026, granting Respondent's third extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since June 1, 2026. Specifically,

1. Counsel prepared and filed the Return to Petition for Writ of Certiorari in the matter of The State v. Trevor Irvin, C/A No. 2023-001075, a matter currently pending in the Supreme Court of South Carolina, on June 3, 2026;
2. Counsel prepared and filed the Return to Petition for Writ of Certiorari in the matter of The State v. Jason B. Bell, C/A No. 2023-001326, a matter currently pending in the Supreme Court of South Carolina, on June 5, 2026;
3. Counsel prepared and filed the Petition for Writ of Certiorari, in the death penalty matter of Bobby Wayne Stone v. The State of South Carolina, C/A No. 2026-000115, a matter in the Supreme Court of South Carolina, on June 12, 2026;
4. Counsel prepared and filed an Initial Brief of Respondent, in the matter of The State v. Jordin Q. Glover, C/A No. 2025-000849, a matter currently pending in the South Carolina Court of Appeals, on June 23, 2026; and
5. Counsel prepared and filed the Reply to Petitioner's Response in Opposition to the Motion for Summary Judgment, in the matter of Justin Rashawn Simms vs. Warden of Evans Correctional Institution, C/A No. 9:25-06429-JFA-MHC, a matter currently pending in the District Court of South Carolina, on June 30, 2026.
6. 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.

However, due to counsel's involvement in these and other matters, counsel is unable to timely complete the Initial Brief of Respondent.

WHEREFORE, counsel respectfully requests a ten (10) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made to show extraordinary circumstances, and not for the purposes of delay.

Respectfully Submitted,

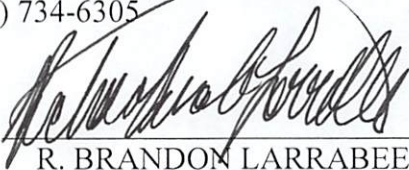
ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

R. BRANDON LARRABEE
Assistant Attorney General
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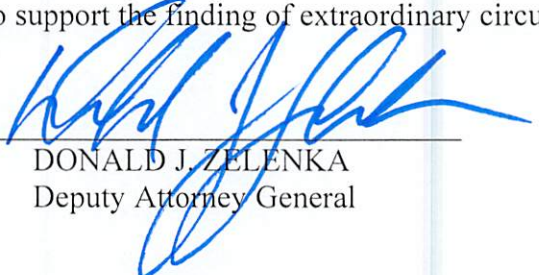
By: 
R. BRANDON LARRABEE
ATTORNEYS FOR RESPONDENT

July 1, 2026.

I support the finding of extraordinary circumstances.

By: 
MELODY J. BROWN,
Senior Assistant Deputy Attorney General

I also support the finding of extraordinary circumstances.

By: 
DONALD J. ZELENKA
Deputy Attorney General

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CERTIFICATE OF SERVICE

The undersigned certifies that pursuant to Rule 262(c)(3), SCACR and the Supreme Court order of April 24, 2024, the Initial Brief of Respondent, along with Certificate of Service has been forwarded to Petitioner's counsel, Jessica M. Saxon, Esquire via email today, May 28, 2026 to jsaxon@sccid.sc.gov, and to her assistant, Kaylynn Warren, at KWarren@sccid.sc.gov

I further certify that all parties required by Rule to be served have been served. This
1st day of July 2026.


R. BRANDON LARRABEE
Assistant Attorney General
S.C Bar #104865
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Post Office Box 11549
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ATTORNEY FOR RESPONDENT

From: [Brittany Kilgore](#)
To: jsaxon@sccid.sc.gov; kwarren@sccid.sc.gov
Cc: [Brandon Larrabee](#)
Subject: The State v. Kurtino Damon Weathersbee
Date: Wednesday, July 1, 2026 1:25:00 PM
Attachments: [image001.png](#)
[Weathersbee - Motion for Extension.pdf](#)

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

Thank you,



Brittany Kilgore

Brittany Kilgore, Legal Assistant | 803-734-1494|
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