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Jul 15 2026
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Honorable R. S. Sprouse, Circuit Court Judge
Appellate Case No. 2025-001323

THE STATE,

Respondent,

vs.

MATTHEW D. MCCOY,

Appellant.

**MOTION FOR THIRD 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 July 15, 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 third extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Earlier this week, the undersigned counsel submitted the Initial Brief of Respondent and Designation of Matter to the Court of

Appeals in State v. Kenneth Miller, Jr. and Return to Petition for Writ of Certiorari to the Supreme Court in Gabriel Rios v. State. Additionally, in the past few weeks, the undersigned counsel has submitted the Initial Brief of Respondent and Designation of Matter to the Court of Appeals in State v. Carlton Devonte Brown; has submitted a Return to Petition for Writ of Certiorari to the Supreme Court in Anthony Briggs v. State; has submitted a letter in lieu of formal Return to Petition for Writ of Certiorari to the Supreme Court in Justin Pinson v. State; has submitted a letter in lieu of a formal return to the Appellant's Motion to Preserve the Audio Recording of the Trial and Allow Counsels to Obtain a Copy of the Audio to the Court of Appeals as requested in State v. Nathan Miles Ginter; and has submitted a memorandum on appealability to the Court of Appeals in State v. Rafeel Santiago Miguel Smith. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office and has prepared for and presented at continuing legal education seminars on behalf of the South Carolina Bar's Trial and Appellate Advocacy Section and the South Carolina Commission on Prosecution Coordination.

III.

The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The Brief in the above-referenced case involves multiple important issues, including a challenge to the constitutionality of a search. 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, challenges that have resulted from substantial staffing issues currently being experienced by the undersigned counsel's office and section, and some unanticipated matters that have required the undersigned counsel's attention. Accordingly, to ensure the Brief is properly

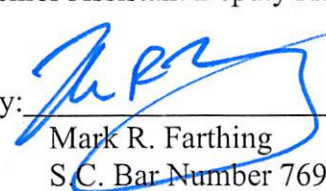
researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

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,

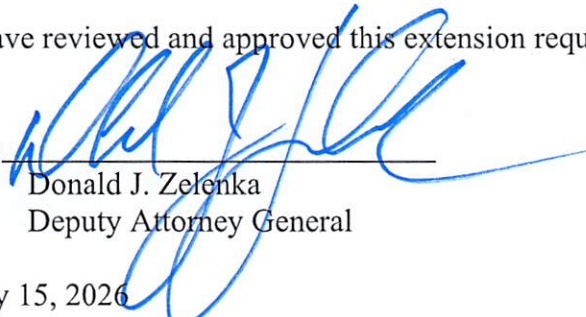
ALAN WILSON
Attorney General

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

July 15, 2026

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PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for the Third 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:

Wesley Chandler Norville, Esquire
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29201

I further certify all parties required by Rule to be served have been served.
This 15th day of July, 2026.



CAROLINE COLLINS

Administrative Support Manager
Office of the Attorney General