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Aug 05 2026

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal From Pickens County
The Honorable Jessica A. Salvini, Circuit Court Judge

Appellate Case No: 2025-002334

STATE OF SOUTH CAROLINA,

Respondent,

vs.

BENJAMIN ALLEN WEMP,

Appellant.

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

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to three previous extensions granted by the Court.

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 Respondent moves for a fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court, the undersigned counsel is unable to complete this Brief on time. Since the last extension was granted in this matter, the undersigned counsel has filed an Petition for Rehearing in the Court of Appeals in *The State v. Kendrick Montrez Lee*

(2023-001843); has filed a Return to Petition for Writ of Certiorari in the Supreme Court in *The State v. Norman Philip Browne* (2026-001372); has filed a Return to Petition for Rehearing in the Court of Appeals in *The State v. Kendrick Montrez Lee* (2023-001843); and has filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in *The State v. Carles Brandon Scruggs* (2025-001295). Counsel would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

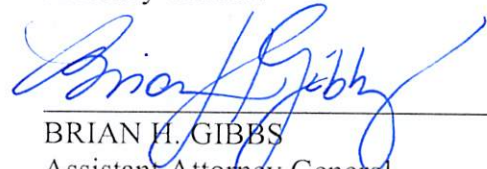
III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. 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. 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 (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By: _____

MARK R. FARTHING

Senior Assistant Deputy Attorney General

By: _____

/s/ Donald J. Zelenka

DONALD J. ZELENKA

Deputy Attorney General

August 5, 2026