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Aug 26 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Spartanburg County
The Honorable J. Derham Cole, Jr., Circuit Court Judge

Appellate Case No: 2025-001938

THE STATE,

Respondent,

vs.

JOEL ANTONIO DURAN,

Appellant.

**MOTION FOR THIRD 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 two 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 third 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 submitted a Return to Petition for Rehearing in the Court of Appeals in *State v. Kendrick Montrez Lee*

(2023-001843); has submitted an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in *State v. Carles Brandon Scruggs* (2025-001295); and has submitted a Brief of Respondent in the Supreme Court in *State v. James Orian Gregory* (2026-000484) and in *Jamar Antonio Huggins v. State of South Carolina* (2024-002167). Counsel would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

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; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

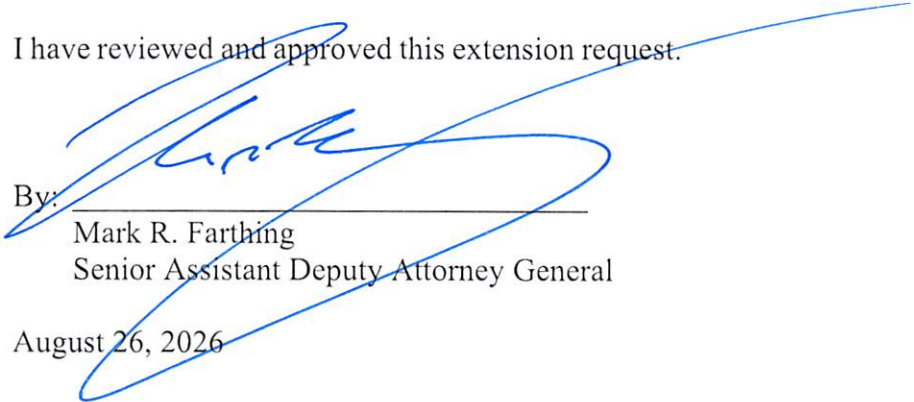


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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.

By: 

Mark R. Farthing
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the Motion for Extension of Time on E. Charles Grose, Jr., Esquire, counsel of record for the Appellant, by sending one copy by electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.
This 26th day of August, 2026.



GRACE SOMMER
Administrative Support Manager

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