

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Honorable Jessica A. Salvini, Circuit Court Judge
Appellate Case No. 2025-001825

RECEIVED

Oct 08 2026

SC Court of Appeals

THE STATE,

Respondent,

vs.

MONTECIO ALVENA MCKINNEY,

Appellant.

**MOTION FOR FOURTH 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 October 8, 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 fourth extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the undersigned counsel has submitted an Initial Brief of Respondent and Designation of Matter to

the Court of Appeals in State v. Toby Armstrong (2025-000718) and in State v. Mark A. Winchell (2025-002455); has submitted a Final Brief of Respondent to the Court of Appeals in State v. Toby Khan Armstrong (2025-000718); has submitted a Petition for Rehearing to the Court of Appeals in State v. Jamira U. Davis (2023-001215); and has submitted a Petition for Writ of Certiorari, Appendix, and a Return to Petition for Writ of Certiorari to the South Carolina Supreme Court in State v. Nevelle Joshua Eberhart (2026-002120). 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 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.

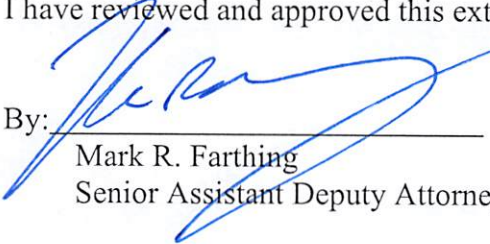
Respectfully submitted,

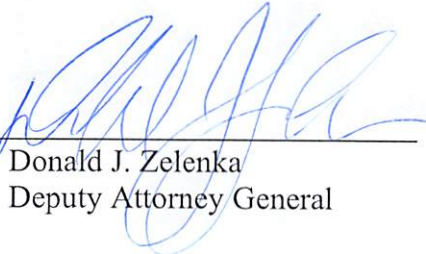
ALAN WILSON
Attorney General

JOSHUA A. EDWARDS
Assistant Deputy Attorney General

By: 
Joshua A. Edwards
S.C. Bar Number 101188

I have reviewed and approved this extension request.

By: 
Mark R. Farthing
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

October 8, 2026

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PROOF OF SERVICE

I, Bianca Cammarata, certify I have served the within Motion for the Fourt 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:

Wanda H. Carter, 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 8th day of October, 2026.



Bianca Cammarata
Legal Assistant
Office of the Attorney General