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Oct 09 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Pickens County
The Honorable Perry H. Gravely, Circuit Court Judge

Appellate Case No: 2025-002272

THE STATE,

Respondent,

vs.

ANDREW GRANT WHETSTONE, II,

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 an Initial Brief of Respondent and Designation of Matter to the Court of Appeals in State v. Jerelle

Hickson (2025-000749); has submitted a Final Brief of Respondent to the Court of Appeals in State v. Carles Brandon Scruggs (2023-001295); has submitted a Petition for Writ of Certiorari to the Supreme Court in State v. Kendrick Montrez Lee (2023-001843); and prepared for and had an Oral Argument before the Court of Appeals in Gary Moore v. State (2024-000459). 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

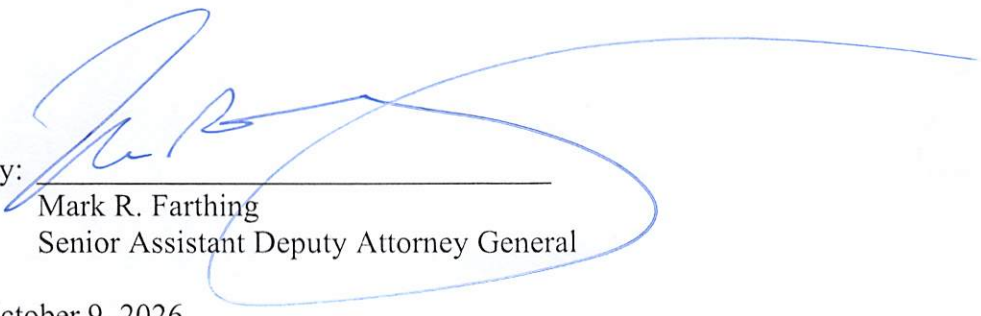
A handwritten signature in blue ink, appearing to read "Brian Gibbs", is written over a horizontal line.

BRIAN GIBBS
Assistant Attorney General
S. C. Bar No: 104137

Office of the Attorney General
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Columbia, SC 29211
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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.



By: _____

Mark R. Farthing

Senior Assistant Deputy Attorney General

October 9, 2026

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PROOF OF SERVICE

I, Stephen King, certify that I have served the Motion for Extension of Time on Wanda H. Carter, 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 9th day of October 2026.



STEPHEN KING
Legal Assistant

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