

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Honorable Michael G. Nettles, Circuit Court Judge

STATE OF SOUTH CAROLINA,

Respondent,

v.

JASMINE NICOLE FEMIA,

Appellant

Appellate Case No. 2016-001771

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OCT 06 2017
SC Court of Appeals

MOTION TO EXTEND TIME TO FILE INITIAL
BRIEF OF RESPONDENT AND DESIGNATION OF MATTER

The Respondent, above-named, hereby makes a third motion to the Court to extend the time of filing the Initial Brief of Respondent and Designation of Matter until November 6, 2017. The Initial Brief of Respondent in the above action is due to be filed October 6, 2017. Respondent is actively working on the brief and *has completed a majority of the brief*. However, Respondent has not been able to complete the brief because of the following reasons:

Respondent's counsel has been involved in intervening cases in both state and federal court that have precluded timely completion of the Brief. Below-signed counsel has prepared and filed PCR Return on Miguel Ramirez v. State, 2017-CP-41-160 in the Court of Common Pleas on August 21, 2017. In addition to preparing and arguing the August 8th evidentiary hearing, at the request of Judge Lee, Counsel was requested to draft an extensive Order of

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Dismissal in the PCR case of Margaret Driggers v. State, 2015-CP-32-00881, completed August 31st. Counsel has also conducted the September 8th reconstruction hearing for the PCR evidentiary hearing of Randall E. Sightler v. State, Appellate Case No. 2016-002415. Counsel filed the September 13th PCR Return for Joseph O. Morant v. State, 2017-CP-32-2430. Counsel prepared and filed Return and Memorandum in in U.S. District Court in Travis McLaughlin v. Warden Leroy Cartledge on October 2, 2017. Due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete and file the Initial Brief of Respondent. Thus, counsel is requesting an extension of time in which to file the Initial Brief of Respondent in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, for good cause shown, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

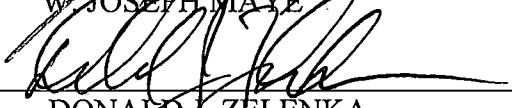
Respectfully submitted,
ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

W. JOSEPH MAYE
Assistant Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By:


W. JOSEPH MAYE


DONALD J. ZELENKA

October 6, 2017

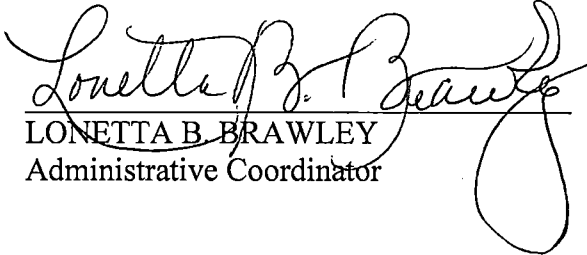
CERTIFICATE OF SERVICE

I, **Lonetta B. Brawley**, hereby certify that the Third Motion to Extend time to file the Initial Brief of Respondent and Designation of Matter in the above referenced case has been served upon Appellant by depositing one copy of same in the InterAgency Mail and addressed as follows:

LaNelle Cantey DuRant
Appellate Defender
Division of Appellate Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

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This 6th day of October, 2017.


LONETTA B. BRAWLEY
Administrative Coordinator



ALAN WILSON
ATTORNEY GENERAL

October 6, 2017

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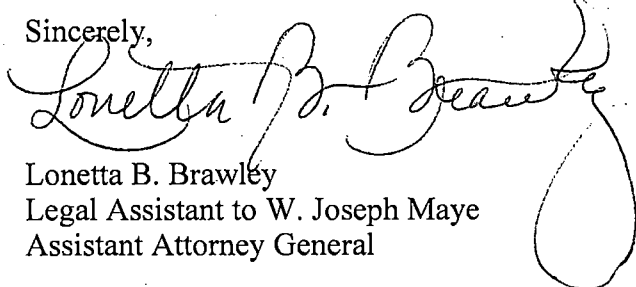
The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Jasmine Nicole Femia
Appellate Case No. 2016-001771

Dear Ms. Kitchings:

Enclosed please find a Motion to Extend Time to file Initial Brief of Respondent and Designation of Matter in the above-captioned matter for filing in your office. By copy of this letter, I am serving opposing counsel with this request.

Sincerely,



Lonetta B. Brawley
Legal Assistant to W. Joseph Maye
Assistant Attorney General

/lbb

cc: LaNelle Cantey DuRant, Esquire