

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
Court of Common Pleas
The Honorable Grace Gilchrist Knie, Circuit Court Judge

Appellate Case No. 2018-000103

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MAY 08 2019
SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent,

v.

WARREN TREMAINE DUVANT,

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 May 8, 2019.

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 and final** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Today, the undersigned counsel is submitting a FBOR in In re Zahi H. to this court, and an IBOR in State v. Ancrum.

Tomorrow, the undersigned counsel will submit a RPWC in Young v. State to the Supreme Court and participate in oral argument at the Supreme Court in State v. Durant, and a few weeks thereafter will argue State v. Lake. Further, within the last several weeks, the undersigned has submitted: emergency motions to stay the release of the defendant in State v. Sims in both the Supreme Court and Court of Appeals; the Return to the Petition for an Appeal Bond in State v. Sims; meetings and phone calls with the parents of the victim in State v. Sims; and RPWCs in Washington v. State, State v. Crosby, State v. Herndon; the IBOR in State v. Bryant.

III.

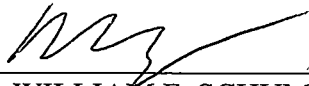
The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case has required significant research because the case involves three important issues on appeal. The undersigned counsel is 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. Accordingly, in order 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.

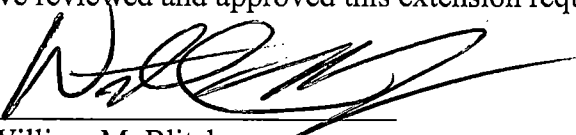
Respectfully submitted,

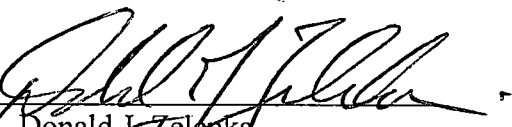
ALAN WILSON
Attorney General

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

BY: 
WILLIAM F. SCHUMACHER, IV
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

We have reviewed and approved this extension request.

By: 
William M. Blich
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

May 8, 2019



ALAN WILSON
ATTORNEY GENERAL

May 8, 2019

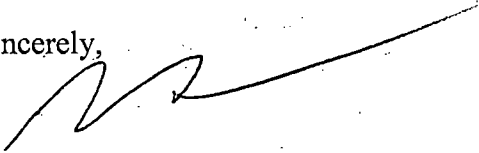
The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1220 Sumter Street
Columbia, South Carolina 29201

Re: The State v. Warren Tremaine Duvant
Appellate Case No. 2018-001030

Dear Ms. Kitchings:

Enclosed please find an original and six (6) copies of a Motion for Extension of Time in the above case. By copy of this letter, I am serving counsel for the Appellant with a copy the motion.

Sincerely,


William F. Schumacher, IV
Assistant Attorney General
S.C. Bar No: 100231

WFS/ssm
Enclosures

cc: Nisha Sandhu, Esquire
Christopher L. Williams, Esquire
Victim Advocacy Division

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