

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal From Spartanburg County
J. Derham Cole, Circuit Court Judge
Appellate Case No: 2018-001707

RECEIVED
OCT 14 2019
SC Court of Appeals

THE STATE,

Respondent,

vs.

LORENZO GUILLERMO DANIEL CALDERON,

Appellant.

**MOTION FOR THIRD EXTENSION
TO SERVE AND FILE 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 today.

II.

Due to work required in other direct appeals pending before this Court and the South Carolina Supreme Court, I am unable to complete the Brief on time. The undersigned has completed a Final Brief of Respondent in State v. Carter, Petition for Rehearing and a Reply to Return to Petition for Rehearing in the South Carolina Court of Appeals in State v. Makins. I have been preparing for an oral argument that will take place today at the Court of Appeals in State v. Frazier. In addition I have prepared responsive pleadings and a proposed order in circuit court for Sanders v. State (PCR) and a Return to Petition for Writ of Certiorari in State v. Reyes.

in the Supreme Court. I would therefore request a third 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 (30) days; and for such other and further relief as the Court may deem just and proper.

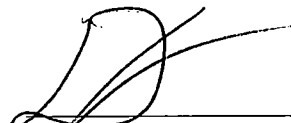
Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

DAVID SPENCER
Senior Assistant Attorney General

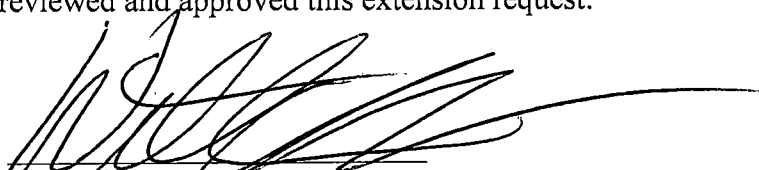
By:



David Spencer
S.C. Bar No: 68571
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

I have reviewed and approved this extension request:

By:



William M. Blitch, Jr.
Senior Assistant Deputy Attorney General

October 14, 2019

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Appellant.

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Motion for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by having copies delivered to his counsel of record addressed as follows:

M. Claire Hall, Esquire
Parker, Poe, Adams & Bernstein LLP
1221 Main Street, Suite 1100
Columbia, SC 29201

Robert M. Dudek, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.

This 14th day of October, 2019.



Anne A. Mueller
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

October 14, 2019

VIA HAND DELIVERY

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

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SC Court of Appeals

RE: State v. Lorenzo Guillermo Daniel Calderon
Appellate Case No. 2018-001707

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

David Spencer
Senior Assistant Attorney General
S.C. Bar Number 68571

DS/aam
Enclosures

cc: M. Claire Hall, Esquire
Robert M. Dudek, Esquire
Victim Advocacy Division