

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County
Honorable Roger L. Couch, Circuit Court Judge
Appellate Case Tracking No. 2018-001909

RECEIVED

May 18 2020

SC Court of Appeals

The State,

Respondent,

vs.

Dana L. Morton,

Appellant.

**MOTION FOR FOURTH 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 to be served and filed today.

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 fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has filed Petitions for Rehearing in State v. Smith, State v. Simmons, and State v. Perry in the Supreme Court. Further, the undersigned

has filed a Supplemental Brief in Ragsdale v. Keel et al in the Supreme Court. A Return to Petition for Writ of Certiorari was filed in a pro se matter of State v. Yisrael in the Supreme Court. The undersigned has also served and filed Initial Briefs in State v. Huggins, State v. Evans, and State v. Jenkins and a Return in State v. Roberts in the Court of Appeals. Additionally, the undersigned has been responsible as supervisor of the Criminal Appeals Section while most of his employees are telecommuting during the current Covid-19 crisis.

This extension is not intended for delay, but rather to ensure the Brief is properly researched and prepared. The undersigned intends to complete the Brief without need for further extension absent extraordinary circumstances. I would therefore request a fourth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for service and filing of the Initial Brief of Respondent and Designation of Matter for thirty (30) days from the date such relief is granted; 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

I have reviewed and approve this request:

BY: s/ DZelenka
Donald J. Zelenka
Deputy Attorney General

BY: 
William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 18, 2020

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PROOF OF SERVICE

I, Anne A. Muller, certify that I have served the Motion for Fourth Extension on Appellant's Counsel, E. Charles Grose, Jr., by email at the address specified in AIS.

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

This 18th day of May, 2020.



ANNE A. MUELLER
Office of Attorney General
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From: Anne Mueller
To: ["charles@groselawfirm.com"](mailto:charles@groselawfirm.com)
Cc: [William Blitch \(wblitch@scag.gov\)](mailto:wblitch@scag.gov); [Victim Services](#); [Caroline Collins](#); [Anne Mueller \(amueller@scag.gov\)](mailto:amueller@scag.gov)
Subject: State v. Dana L. Morton
Date: Monday, May 18, 2020 2:13:00 PM
Attachments: [Morton Dana - Cover letter for Motion for 4th Extension \(02280846xD2C78\).PDF](#)
[Morton Dana - Motion For Fourth Extension to Serve and File Initial Brief of Respondent and Designation of Matter \(02280841xD2C78\).PDF](#)

Dear Mr. Grose:

Attached are a cover letter and the State's Motion for Fourth Extension. This motion will be submitted to the Court electronically through AIS One Drive today.

Please respond by email to confirm you received this email and the attachments.

Thank you,

Anne Mueller

Legal Assistant



Anne A. Mueller

*Legal Assistant
Criminal Appeals Division
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(803) 734-3922*

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