

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

**May 26 2020**

**SC Court of Appeals**

---

Appeal from Anderson County  
Honorable R. Lawton McIntosh, Circuit Court Judge  
Appellate Case No. 2019-001502

---

The State,

Respondent,

vs.

Dustin Lee Hooper,

Appellant.

---

**MOTION FOR THIRD EXTENSION  
WITHIN WHICH TO SERVE AND FILE  
INITIAL BRIEF OF RESPONDENT**

---

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent is due to be served and filed May 26, 2020.

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 and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has completed multiple filings in the South Carolina Supreme Court including a Supplemental Brief in Ragsdale v. Keel et al.; a Return to Certiorari in State v. Yisrael, State v. Brooks, and State v. Morales; and Petitions for

Rehearing in State v. Smith, State v. Simmons, and State v. Perry. The undersigned has also completed multiple initial briefs for the Court of Appeals including State v. Jenkins, State v. Huggins and State v. Evans.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent in this case 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:

s/Donald J. Zelenka  
DONALD J. ZELENKA  
Deputy Attorney General

  
WILLIAM M. BLITCH, JR.  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 15608  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 26, 2020

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**  
**May 26 2020**  
**SC Court of Appeals**

Appeal from Anderson County  
Honorable R. Lawton McIntosh, Circuit Court Judge  
Appellate Case No. 2019-001502

The State,

Respondent,

vs.

Dustin Lee Hooper,


Appellant.

**PROOF OF SERVICE**

I, Anne A. Mueller, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent on Appellant by email at the address provided in AIS for Donald L. Smith, Esquire.

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

This 26<sup>th</sup> day of May, 2020.



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

**From:** Anne Mueller  
**To:** ["attorneydonaldsmith@gmail.com"](mailto:attorneydonaldsmith@gmail.com)  
**Cc:** [William Blitch \(wblitch@scag.gov\)](mailto:wblitch@scag.gov); [Caroline Collins](#); [Victim Services](#); [Anne Mueller \(amueller@scag.gov\)](mailto:amueller@scag.gov)  
**Subject:** State v. Dustin Hooper, Appellate Case No. 2019-001502  
**Date:** Tuesday, May 26, 2020 11:04:00 AM  
**Attachments:** [Hooper Dustin - Cover letter for Motion for 3rd Extension \(State's IBOR\) \(02285506xD2C78\).pdf](#)  
[Hooper Dustin - Motion for 3rd Extension \(State's IBOR\) \(02285511xD2C78\).pdf](#)

---

Dear Mr. Smith,

Attached is Mr. Blitch's motion for a third extension for his IBOR in the above matter, along with the cover letter. This document will be filed with the Court today via AIS One Drive.

Please acknowledge receipt of this email and the attachments by return email.

Thank you.

Anne Mueller  
Legal Assistant



*Anne A. Mueller*

Legal Assistant  
Criminal Appeals Division  
Office of the Attorney General  
(803) 734-3922

**RECEIVED**

**May 26 2020**

**SC Court of Appeals**