

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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Aug 26 2020

Appeal from Greenville County
Honorable G. Thomas Cooper, Jr., Circuit Court Judge
Appellate Case No. 2019-001815

S.C. SUPREME COURT

THE STATE,

Respondent,

vs.

WILLIAM D. LEWIS,

Appellant.

**MOTION FOR THIRD 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 August 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 State moves for a **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks and months, the undersigned counsel has participated in oral argument at the Court of Appeals in State v. Howard

James Woods and State v. Steven Louis Barnes; has submitted a Brief of Petitioner to the Supreme Court in State v. Joseph Bowers; has submitted an Initial Brief of Respondent to the Court of Appeals in State v. Brandon Keith Moore, In re Lauren Martel, Esq., State v. Louis Neal Reville, State v. Lagerald L. Dunham, and State v. Edmund A. Pinckney; has submitted a Return to Petition for Writ of Certiorari to the Supreme Court in State v. Vance Ross; has submitted a Return to Petition for Common Law Writ of Certiorari to the Supreme Court in State v. Oscar Fortune; and has submitted a Petition for Rehearing to the Supreme Court in State v. Terry Williams. Furthermore, the undersigned counsel intends to file an Initial Brief of Respondent to the Court of Appeals on today's date in State v. Derrick Tyler Mills.

III.

The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. To date, the undersigned counsel has been unable to complete the Brief in this case due to work required in other cases. Beyond that, the Brief in the above-referenced case has required significant research because the case involves three important issues, including a constitutional challenge to the validity of the statute criminalizing misconduct of a public officer in South Carolina. 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 one additional extension of time within which to serve and file the Brief. At present, the undersigned counsel further submits I do not believe any additional extension requests in regard to the Brief in this case will be necessary or forthcoming.

IV.

Prior to the filing of this extension request, the State has reached out to counsel for Appellant, and the undersigned counsel has been informed Appellant's counsel has graciously indicated he has no objection to this extension request.

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

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Senior Assistant Attorney General

By: 

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I have reviewed and approved this extension request.

By: 

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

August 26, 2020