

RECEIVED

Aug 31 2020

SC Court of Appeals

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Allendale County
Honorable Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TRIVON DAYSHAD YOUNG,

APPELLANT.

APPELLATE CASE NO. 2019-001217

**MOTION TO FILE THIRD EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER**

Respondent would respectfully move this Court for a Third Extension of Time to File the Initial Brief of Respondent and Designation of Matter. The Initial Brief of Respondent is due to be filed today, Monday, August 31, 2020.

The undersigned attorney moves for the time to file the Initial Brief and Designation of Matter be extended by thirty (30) additional days up to and including September 30, 2020. Respondent has had a number of state and federal matters to attend to since July 31, 2020. Specifically,

1. Counsel has been reviewing matters due to his involvement as Chairman on the Office of the Attorney General's Appellate Decision Review Committee. The Committee was formed to review all adverse decisions in Capital, Federal Habeas, Direct Appeals, and Post-Conviction Relief matters, and to determine whether the State will appeal these rulings. In the last thirty days, counsel has reviewed the following matters: On August 17, 2020 *The State v. Patrick*

O'Neal McGowan, C/A No. 2016-001220, a Laurens County criminal appeal matter; On August 19, 2020, *The State v. Antwuan L. Nelson*, C/A No. 2017-001406, a Horry County criminal appeal matter and *The State v. Charles B. Rampey*, C/A No. 2016-001905, a Pickens County criminal appeal matter; On August 21, 2020, *The State v. Charles Eugene Carpenter*, C/A No. 2017-002577, a Richland County criminal appeal matter and *The State v. Hubert Brown*, C/A No. 2016-001363, a York County post-conviction relief matter; On August 26, 2020, *The State v. Javon D. Gibbs* an Horry County criminal appeal matter.

2. Counsel filed the Final Brief of Respondent August 11, 2020 in the matter of *The State v. Terriel Leshawn Mack*, Appellate Case No, 2019-000521, a Florence County direct appeal matter;

3. Counsel filed the Final Brief of Respondent August 11, 2020 in the matter of *The State v. Zantravious Randell Hall*, Appellate Case No. 2018-002176, a Greenwood County direct appeal matter;

4. Counsel filed the Initial Brief of Respondent and Designation of Matter August 21, 2020 in the matter of *The State v. Devin Jamel Johnson*, Appellate Case No, 2019-000938, a Charleston County direct appeal matter;

5. Counsel filed the Respondent's Return to Petition for Writ of Certiorari August 19, 2020 in the matter of *The State v. Justin Jamal Warner*, Appellate Case No. 2020-000930, a Anderson County direct appeal matter currently pending in the South Carolina Supreme Court.

6. Counsel is working on the Initial Brief of Respondent in the Death Penalty case *The State v. Jerome Jenkins, Jr.*, a Horry County direct appeal matter.

7. Counsel is working on the Return to the Petition for Re-Hearing, due September 3, 2020, in the case *The State v. Javon D. Gibbs*, an Horry County criminal appeal matter

Opposing Counsel, Office of Appellate Defense, has graciously consented to the motion and request for extension of time by way of the thirty day general consent granted by Chief Appellate Defender Robert M. Dudek for all extensions through September 30, 2020.

Thus, by this motion, Respondent respectfully requests this Court to issue an Order granting an extension of thirty (30) days in which to serve and file the Initial Brief and Designation of Matter up to and including September 30, 2020.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
No. 07979

WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

Post Office Box 11549

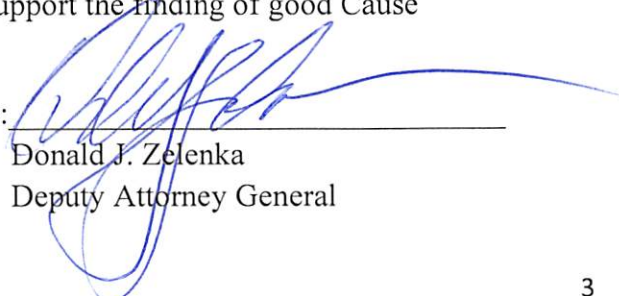
Columbia, South Carolina 29211
(803) 734-6305

August 31, 2020.

By: s/William Edgar Salter, III
WILLIAM EDGAR SALTER, III

ATTORNEYS FOR RESPONDENT

I support the finding of good Cause

By: 
Donald J. Zelenka
Deputy Attorney General

RECEIVED

Aug 31 2020

SC Court of Appeals

**TATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Allendale County
The Honorable Brooks P. Goldsmith, Circuit Court Judge
Appellate Case No. 2019-001217

THE STATE,

RESPONDENT,

vs.

TRIVON DAYSHAD YOUNG,

APPELLANT.

CERTIFICATE OF SERVICE

I, Brandy Rankin, as an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Third Motion for Extension of Time to File Initial Brief of Respondent and Designation of Matter, has been forwarded to Appellant's counsel, Robert M. Dudek, Esq., via email today, August 31, 2020 to RDudek@sccid.sc.gov, and Appellant's Assistant, Haley Kellners, Hkellner@sccid.sc.gov.

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

This 31st day of August, 2020.

Brandy Rankin

Brandy Rankin,
Legal Assistant to William Edgar Salter, III
Senior Assistant Attorney General

Angela Bennett

From: Angela Bennett
Sent: Monday, August 31, 2020 2:59 PM
To: RDudek@sccid.sc.gov; 'Kellner, Haley'
Cc: Ed Salter
Subject: The State v. Traivon Dayshad Young
Attachments: 02367680.pdf

Dear Mr. Dudek,

Please find attached the Respondent's Third Motion for Extension in the above captioned manner. The Extension will be filed with the Court of Appeals today along with a copy of this email. Thank you.

Brandy Rankin

Legal Assistant
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211-1549

BrandyRankin@scag.gov

Phone: 803-734-6305

Fax: 803-734-4035