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Oct 19 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Charleston County  
The Honorable Kristi Lea Harrington, Circuit Court Judge

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THE STATE,

Respondent,

v.

KENNETH LAMONT ROBINSON, JR.,

Appellant.

Appellate Case No. 2018-001269

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

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The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. Opposing counsel, Susan B. Hackett, Esq., Appellate Defender has consented to extension requests through October 31, 2020. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief is due today, Monday, October 19, 2020. The undersigned attorney has had a number of state and federal matters to attend since September 18, 2020. Specifically,

1. Counsel filed the Initial Brief of Respondent and Designation of Matter in the matter of The State vs. Alfred T. Walker, Appellate Case No. 2019-001842, a Barnwell County murder appeal matter now pending in the South Carolina Court of Appeals on September 30, 2020;

2. Counsel filed the Respondent's Final Brief of Respondent in the matter of The State vs. Amy N. Taylor, Appellate Case No. 2019-001117, a Spartanburg County murder appeal matter on October 13, 2020;

3. Counsel argued on behalf of the State in the matter of The State vs. Tommy Lee Benton, Appellate Case No. 2017-002553, an Horry County murder appeal matter before the South Carolina Court of Appeals on October 14, 2020;

4. Counsel is also currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Darnell Khan v. Warden of Tallahatchie County Correctional Institution, C/A No. 9:20-2653-BHH-MHC; and

5. Counsel is currently preparing the Initial Brief of Respondent in this matter. Due to counsel's involvement in these and other matters pending in state and federal court, counsel for Respondent moves this Court to enlarge the time for filing the response by granting a thirty (30) day extension up to and including November 18, 2020. This request is made in good faith, and not for the purpose of delay.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent in this matter.

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

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

TOMMY EVANS, JR.  
Assistant Attorney General  
Bar No. 65282

Post Office Box 11549  
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(803) 734-6305

October 19, 2020.

By: s/Tommy Evans, Jr.  
ATTORNEYS FOR RESPONDENT

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**CERTIFICATE OF SERVICE**

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I, Donna D'Alessio, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter, and Certificate of Service has been forwarded to Appellant's counsel, Susan B. Hackett, Esq., to [shackett@sccid.sc.gov](mailto:shackett@sccid.sc.gov), and to her assistant at [kkasperski@sccid.sc.gov](mailto:kkasperski@sccid.sc.gov), as well as to John H. Blume, III, Esq. at [john@blumelaw.com](mailto:john@blumelaw.com), via email today, October 19, 2020.

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

This 19<sup>th</sup> day of October, 2020.



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Donna D'Alessio,  
Legal Assistant to Tommy Evans, Jr.  
Assistant Attorney General

## Donna D'Alessio

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**From:** Donna D'Alessio  
**Sent:** Monday, October 19, 2020 12:07 PM  
**To:** 'shackett@sccid.sc.gov'; Kasperski, Katriel (kkasperski@sccid.sc.gov); 'john@blumelaw.com'  
**Subject:** Robinson, Kenneth L., Jr., Appellate Case No. 2018-001269 - Second extension of time to file IBOR - 10-19-2020  
**Attachments:** Robinson, Kenneth L., Jr. - Appellate Case No. 2018-001269 - 2nd extension of time to file IBOR 10-19-2020 (02405395xD2C78).pdf

Dear Ms. Hackett and Mr. Blume:

Attached is a scanned copy of the Respondent's Second Motion for Extension of Time to File Initial Brief of Respondent and Designation of Matter regarding the above matter. The Motion for Second Extension of Time and supporting documents are being submitted to the South Carolina Court of Appeals through e-filing, along with a copy of this email.

Hope you are well, and thank you.

Donna D'Alessio, Legal Assistant  
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