

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Nov 09 2020

Appeal from Greenville County
Edward W. Miller, Circuit Court Judge

SC Court of Appeals

THE STATE,

Respondent,

v.

NYQUAN TYKIE BROWN,

Appellant.

Appellate Case No. 2019-001548

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

Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed today, Monday, November 9, 2020. Opposing counsel has graciously consented to all extension requests through November 30, 2020. In support of this motion, counsel would respectfully show the Court the following:

Undersigned counsel has been scheduled to complete a number of state and federal matters within the past 30 days that include, but are not limited to, the following: the filing of the Final Brief of Respondent in the matters of The State v. Anthony Anderson, Appellate Case No. 2019-001406, (October 13, 2020), and The State v. Malette Denise Kimbrough, Appellate Case

No. 2019-001013 (October 28, 2020); the filing of the Response to Petitioner's Objections to the Report and Recommendation in the matter of Derrick Antwan Darby, #366339 vs. Warden of McCormick, C/A No. 0:20-905-MGL, a federal habeas matter pending the United States District Court for the District of South Carolina (October 13, 2020); and the filing of the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Allen Bobo, #367299 vs. Warden of Evans Correctional Institution, C/A No. 1:20-cv-3078-TMC-SVH, a federal habeas matter pending the United States District Court for the District of South Carolina (November 3, 2020). Undersigned counsel also argued the matter of The State vs. Charles Tillman, Appellate Case No. 2018-000495, before this Court on November 4, 2020.

Due to counsel's involvement in these and other matters in state and federal court, counsel has substantially completed, but has been unable to perfect, the Initial Brief of Respondent in this action prior to the due date prescribed. This request is made in good faith, and not for the purposes of delay. This is counsel's third request for additional time to do so.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

CAROLINE SCRANTOM
Assistant Attorney General
SC Bar No. 101357

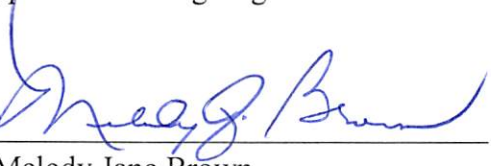
Post Office Box 11549

Columbia, South Carolina, 29211
(803) 734-6305

By: 
CAROLINE SCRANTON
ATTORNEYS FOR RESPONDENT

November 9, 2020.

I support the finding of good Cause

By: 
Melody Jane Brown
Senior Assistant Deputy Attorney General

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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 Extension to file the Initial Brief of Respondent and Designation of Matter, and Certificate of Service have been forwarded to Appellant's counsel, Lara M. Caudy, Esq., via email today, November 9, 2020 to lcaudy@sccid.sc.gov and to Ms. Caudy's assistant, Lindsey Matthews, lmattthews@sccid.sc.gov.

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

This 9th day of November, 2020.



Brandy Rankin
Legal Assistant to Caroline Scrantom
Assistant Attorney General

Brandy Rankin

To: lcaudy@sccid.sc.gov
Cc: lmatthews@sccid.sc.gov; Caroline Scrantom; Melody Brown; Angela Bennett
Subject: Nyquan Tykie Brown - Third Motion for Extension to file Initial Brief & for Extension to file Initial Brief and Designation of Matter
Attachments: Brown, Nyquan Tykie, Appellate Case No. 2019-001548, Third Motion for Extension to file Initial Brief & Designation of Matter, 11-9-2020 (02422386xD2C78).pdf

Dear Ms. Caudy,

Please find attached the Respondent's Third Motion for Extension to file Initial Brief & Designation of matter. Inadvertently, another document was attached to my first email. My apologies. The Third Extension will be filed with the Court of Appeals today along with a copy of this email. Thank you.

Brandy Rankin

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