

**RECEIVED**

**Feb 26 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHESTERFIELD COUNTY  
Court of General Sessions  
The Honorable Paul M. Burch, Circuit Court Judge

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Appellate Case No. 2019-001274

THE STATE, .....RESPONDENT,

v.

JAMES DAVID BUSBY, .....APPELLANT.

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

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto this Court as follows:

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on February 5, 2021, pursuant to a previous extension granted by the Court.

**II.**

Due to work required in other cases pending before this Court, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

**III.**

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared. Progress was slowed on this case due to briefs in other cases being due within the next several weeks. With this extension, the State believes this initial brief will be completed without any further extensions required.

**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 (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM F. SCHUMACHER, IV  
Assistant Attorney General

By: 

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

I have reviewed and approved this extension request.

By: 

WILLIAM M. BLITCH, JR.  
Senior Assistant Deputy Attorney General

February 5, 2021

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**PROOF OF SERVICE**

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I, Shana Montgomery, certify that I have served the within Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant a copy, via email listed with AIS and the South Carolina Bar. Additionally, a physical copy of the same was mailed to:

Elizabeth Franklin-Best  
Elizabeth Franklin-Best, P.C.  
2725 Devine Street  
Columbia, South Carolina 29205  
(803) 331-3421

I further certify that all parties required by Rule to be served have been served this 5th day of February, 2021.



Shana Montgomery  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-0368

## Shana Montgomery

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**From:** Shana Montgomery  
**Sent:** Friday, February 5, 2021 9:37 AM  
**To:** elizabeth@franklinbestlaw.com  
**Cc:** Shana Montgomery; Bill Schumacher; William Blich  
**Subject:** State V. James D. Busby ; Appellate Case No. 2019-001274 ; Third Extension Request (IBOR)  
**Attachments:** 02483977.PDF

Good Morning,

Attached please find a copy of the third extension motion for State V. James D. Busby (2019-001274). Please confirm receipt. This motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System. In addition to this email, a hard copy will be placed in today's mail. Please don't hesitate to contact us should you have any questions or concerns.

Thank You.

Shana Montgomery  
Legal Assistant  
Office Of The Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
803-734-7239