

RECEIVED

Mar 05 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chester County

Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES HAROLD BALDWIN,

APPELLANT.

APPELLATE CASE NO. 2019-001923

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

The undersigned counsel would respectfully request a third 30-day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

1. The Initial Brief of Respondent and Designation of Matter are due to be filed and served March 5, 2021, pursuant to a second extension. Respondent requests a third extension to serve and file these documents, which is not intended for the purpose of delay, but due to a heavy workload.

2. Counsel for the Respondent, recently completed and filed the Initial Brief of Respondent and Designation of Matter in State v. Montrell Graham, Appellate Case No. 2020-000250, on February 23, 2021.

3. Counsel for Respondent has also been preparing for oral argument to be heard before the Court of Appeals on March 4, 2021, in the matter of The State v. Bobby Jones, Sr., Appellate Case No. 2018, 001345.

4. In addition, counsel has been working on Initial Briefs in State v. Shawn Douglas Custer, Appellate Case No. 219-000292, State v. Deipo Derrick Lewin, Appellate Case No. 2019-001775, and State v. Matt Stevens, Appellate Case No. 2018-001186.

5. Counsel has worked on the Initial Brief and Designation of Matter, but has been unable to complete the brief prior to the due date. Counsel assures the Court completion of the brief if a high priority, and he will work diligently to complete it.

6. The undersigned consulted with counsel for the Appellant, and he is authorized to advise the Court he consents to the requested relief.

Based on the foregoing, counsel for Respondent respectfully requests this Court grant a third 30-day extension in which to file and serve the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending a resolution of this Motion.

Respectfully submitted,

ALAN WILSON
Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

SCOTT MATTHEWS
Assistant Attorney General

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: Scott Matthews
SCOTT MATTHEWS
ATTORNEY FOR RESPONDENT

March 5, 2021

I support the finding in good cause.

Melody J. Brown

Melody J. Brown
Senior Assistant Deputy Attorney General

RECEIVED

Mar 05 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chester County

Daniel D. Hall, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMES HAROLD BALDWIN,

APPELLANT.

APPELLATE CASE NO. 2019-001923

PROOF OF SERVICE

I, Sally Ellison, Legal Assistant to Scott Matthews, counsel for the Respondent, certify I have served the Motion for Third Extension to File the Initial Brief of Respondent and Designation of Matter on David Alexander, Esquire, counsel for Appellant, by email at dalexander@sccid.sc.gov.

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

This 5th day of March, 2021.



Sally Ellison
Legal Assistant
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
803-734-3727

Sally Ellison

From: Sally Ellison
Sent: Friday, March 5, 2021 8:57 AM
To: 'dalexander@sccid.sc.gov'; Matthews, Lindsey
Cc: Melody Brown; Scott Matthews; Sally Ellison; Victim Services
Subject: The State-Baldwin James Harold, Jr. Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter Appellate (02506106xD2C78).PDF
Attachments: The State-Baldwin James Harold, Jr. Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter Appellate (02506106xD2C78).pdf

Good Morning:

Attached for service this date is the Respondent's Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter in the above appeal. This Motion will be filed with the Court of Appeals today through AIS One Drive. Please confirm receipt of the Motion.

Thank you.

Sally Ellison
Legal Assistant
SC Attorney General's Office
1000 Assembly Street
Columbia, South Carolina 29201