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Mar 05 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal From York County  
Honorable J. Mark Hayes, Circuit Court Judge

Appellate Case No: 2020-000257

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THE STATE,

Respondent,

vs.

TAVIS ANDRE COLSTON,

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 March 5, 2021, pursuant to previous extensions granted by the Court.

II.

Due to work required in other cases pending before this Court, I am unable to complete the 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.

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

DAVID SPENCER  
Senior Assistant Attorney General

By: \_\_\_\_\_

David Spencer  
S.C. Bar No: 15608  
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

March 5, 2021

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Appeal From York County  
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THE STATE.

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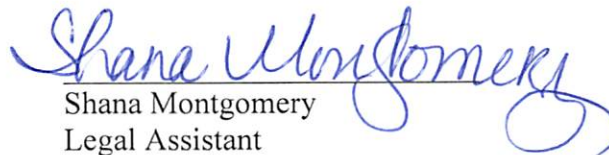
Appellant.

**PROOF OF SERVICE**

I, Shana Montgomery, certify that I have served the Motion for Third Extension of Time Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant a copy via electronic mail to the address listed with AIS, addressed to his attorney of record, Victor E. Seeger, Esquire SC Commission of Indigent Defense, Post Office Box 11589, Columbia, SC 29211-11589.

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

This 5th day of March, 2021.



Shana Montgomery  
Legal Assistant  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737

## Shana Montgomery

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**From:** Shana Montgomery  
**Sent:** Friday, March 5, 2021 9:06 AM  
**To:** Seeger, Victor; Stock, Chris  
**Cc:** Shana Montgomery; David Spencer; William Blich  
**Subject:** COLSTON Tavis ; Appellate Case No. 2020-00257 Motion for Third Extension to File IBOR  
**Attachments:** 02506154.PDF

Good Morning,

Attached please find a copy of the third extension motion for State V. Tavis Colston (2020-000257) Please confirm receipt. This motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System. 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