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Mar 31 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DEIPO DERRICK LEWIN,

APPELLANT

APPELLATE CASE NO. 2019-001775

**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 31, 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 and the Final Brief of Respondent in the same case on March 30, 2021.

3. Counsel for Respondent recently completed oral arguments before the Court of Appeals on March 4, 2021, in the matter of The State v. Bobby Jones, Sr., Appellate Case No.

2018-001345, and on February 11, 2021 in the matter of State v. Charles Dent, Appellate Case No. 2018-001257.

4. In addition, counsel has been working on Initial Briefs in State v. James Harold Baldwin, Appellate Case No. 2019-001923, State v. Shawn Douglas Custer, Appellate Case No. 219-000292, , and State v. Matt Stevens, Appellate Case No. 2018-001186, and In the Interest of Larryion G., Appellate Case No. 2020-001510.

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 is 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

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 31, 2021

I support the finding in good cause.

Melody J. Brown

Melody J. Brown
Senior Assistant Deputy Attorney General

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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 Taylor Gilliam, Esquire, counsel for Appellant, by email at tgilliam@sccid.sc.gov.

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

This 31st 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: Gilliam, Taylor <tgilliam@sccid.sc.gov>
Sent: Wednesday, March 31, 2021 9:21 AM
To: Sally Ellison; Stock, Chris
Cc: Scott Matthews; William Blitch; Victim Services; Leverett, Scott
Subject: RE: [External] STATE-LEWIS Deipo Derrick Motion for Third Extension to file IBOR and DOM Appellate Case No. 2019-001775

Received, thanks.

-Taylor

From: Sally Ellison <sbellison@scag.gov>
Sent: Wednesday, March 31, 2021 9:19 AM
To: Gilliam, Taylor <tgilliam@sccid.sc.gov>; Stock, Chris <cstock@sccid.sc.gov>
Cc: SC - MATTHEWS JONATHAN <SMATTHEWS2@SCAG.GOV>; SC - BLITCH WILLIAM <WBLITCH@SCAG.GOV>; Victim Services <VictimServices@scag.gov>; Leverett, Scott <sleverett@sccid.sc.gov>
Subject: [External] STATE-LEWIS Deipo Derrick Motion for Third Extension to file IBOR and DOM Appellate Case No. 2019-001775

Good Morning:

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

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

This communication and any attachment thereto is intended only for use by the addressee(s) named herein, and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, utilization, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error please notify the Commission on Indigent Defense immediately and permanently delete the original and any copy of any e-mail and any printout thereof. SCCID may be reached by using the email address of the sender, or at 803-734-1343.