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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Sumter County
The Honorable George M. McFadden, Jr., Circuit Court Judge

THE STATE,

Respondent,

v.

WALTER MURREY,

Appellant.

Appellate Case No. 2019-001795

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

The undersigned counsel would respectfully request a final, brief, two-week extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel, Robert M. Dudek, Esquire, and Lara M. Caudy, Esquire, Appellate Defenders, by agency to agency agreement, have consented to extension requests through April 30, 2021. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due to served and filed on Friday, April 2, 2021 as per this Court's Order dated March 3, 2021 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend

Specifically,

1. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Joseph Walker v. Charles Williams, C/A No. 8:20-cv-3290-TMC-JDA, on February 22, 2021;
2. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Alonza Dennis v. Warden of Perry Correctional Institution, C/A No. 6:20-cv-3973-JD-KFM, on March 11, 2021;
3. Counsel prepared and filed the Initial Brief of Respondent and Designation of Matter in the matter of The State v. Dale King, Appellate Case No. 2019-002078, a Beaufort County murder appeal, on March 18, 2021; and
4. Counsel prepared and filed its Response to Motion for Stay in the matter of Reginald Canty v. Warden Charles Williams, C/A No. 4:21-cv-015-TLW-TER, on March 25, 2021.

Further, a substantial amount of work has been completed for this appeal with the anticipation of filing the brief within the time requested from this Court. However, due to counsel's involvement in these and other matters, counsel is unable to timely complete the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, counsel respectfully requests a two-week extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
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By: 
JULIANNA BATTENFIELD
ATTORNEYS FOR RESPONDENT

April 1, 2021.

I support the finding of good cause.

By: 
MELODY J. BROWN,
Senior Assistant Deputy Attorney General

Angela Brown

From: Angela Brown
Sent: Thursday, April 1, 2021 10:30 AM
To: 'RDudek@sccid.sc.gov'; Lara Caudy (lcaudy@sccid.sc.gov)
Cc: Julianna Battenfield; 'Kellner, Haley'; 'Matthews, Lindsey'
Subject: The State v. Walter Murrey
Attachments: 02530131.pdf

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Counsel, please find attached the State's Motion for a Third Extension of Time to File its Initial Brief of Respondent and Designation of Matter in the matter of The State v. Walter Murrey. The motion will be filed with the South Carolina Court of Appeals on today's date.

Thank you,

Angela Bennett Brown
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