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May 03 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
Honorable Diane Schafer Goodstein, Circuit Court Judge
Appellate Case No. 2020-000095

THE STATE,

Respondent,

vs.

KEUNTE D. COBBS,

Appellant.

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

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

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on May 3, 2021.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fifth** and **final** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the undersigned counsel has submitted an Initial Brief of Respondent to the Court of Appeals in

State v. Antonio Ricardo Lee on April 1, 2021; has submitted an Initial Brief of Respondent to the Court of Appeals in State v. Ricky Manigo Dawson on April 12, 2021; and has submitted a Return to Petition for Rehearing to the Court of Appeals in State v. Ontavious Derenta Plumer on April 19, 2021. The undersigned counsel is also preparing to file an Initial Brief of Respondent in State v. Kayla Marie Cook within the next few days.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. To date, the undersigned counsel has been unable to complete the Brief in this case due to work required in other cases along with his other responsibilities in the office. Beyond that, the Brief in the above-referenced case has required significant research because the case, which stems from a fatal shooting, involves both a claim of a violation of a constitutional right and a multi-pronged attack to the trial judge's denial of a directed verdict motion. The undersigned counsel is currently working on the Brief in this case, and the brief is nearing completion. However, the undersigned counsel has not yet quite been able to finish the Brief. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request one final extension of time within which to serve and file the Brief. No further extensions will be requested, and the Brief will be completed as promptly as possible.

IV.

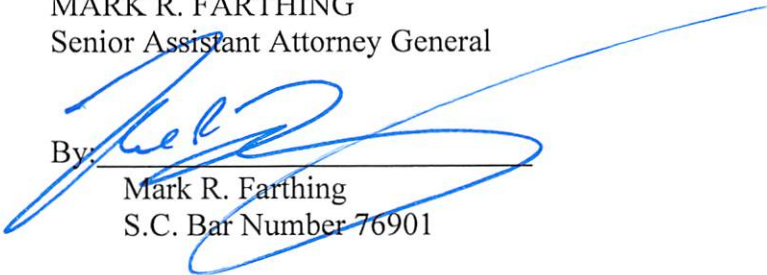
Prior to seeking this extension request, the State consulted with appellate counsel for Appellant, C. Rauch Wise, Esquire, and Appellant's counsel has graciously indicated he has no objections to the State's extension request.

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 days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

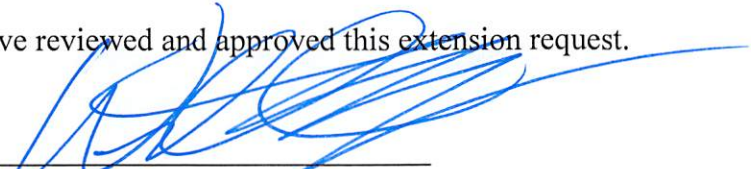
Respectfully submitted,

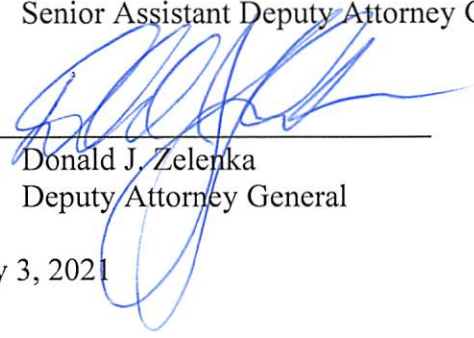
ALAN WILSON
Attorney General

MARK R. FARTHING
Senior Assistant Attorney General

By: 
Mark R. Farthing
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 
William M. Blich, Jr.
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

May 3, 2021

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
Honorable Diane Schafer Goodstein, Circuit Court Judge
Appellate Case No. 2020-000095

THE STATE,

Respondent,

vs.

KEUNTE D. COBBS,

Appellant.

PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for Fifth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

C. Rauch Wise, Esq.
Attorney at Law
305 Main Street
Greenwood, SC 29646

I further certify all parties required by Rule to be served have been served.
This 3rd day of May, 2021.



CAROLINE COLLINS
Administrative Coordinator
South Carolina Office of the Attorney General

Caroline Collins

From: Caroline Collins
Sent: Monday, May 3, 2021 4:33 PM
To: Rauch Wise
Cc: Mark Farthing; William Blicht
Subject: The State v. Keunte D. Cobbs (2020-000095)
Attachments: Cobbs.Fifth Extension Request (IBOR) 2020-000095 (02559467xD2C78).PDF

Good Afternoon Mr. Wise,

Attached please find a copy of a Motion for Fifth Extension of Time Within Which to Serve and File the Initial Brief of Respondent and Designation of Matter in The State v. Keunte D. Cobbs (2020-000095). This motion will be submitted to the Court of Appeals today via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Caroline Collins

Administrative Coordinator
South Carolina Attorney General's Office
P: (803) 734-3723