

**RECEIVED**

**Jul 28 2021**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Charleston County  
The Honorable Kristi Curtis., Circuit Court Judge

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THE STATE,

Respondent,

v.

BRANDON CHRISTOPHER GRAYER,

Appellant.

Appellate Case No. 2020-000556

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

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The undersigned counsel would respectfully request a thirty (30) day extension in which to serve and file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Counsel for Appellant has graciously consented to all extension requests up to and including July 31, 2021. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter are due today, July 28, 2021 as per this Court's Order dated June 29, 2021 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since June 28, 2021. Specifically,

1. Counsel prepared and filed the Final Brief of Respondent a in the matter of *The State v. Walter Murrey*, Appellate Case No. 2019-001795, a Sumter County murder direct appeal on July 6, 2021;

2. Counsel prepared and filed the Initial Brief of Respondent and Designation of Matter in the matter of *The State v. Kierin Dennis*, Appellate Case No.2019-001486, a Lexington County murder direct appeal on July 7, 2021;

3. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Danielle Lamar Peay v. Warden of Perry Correctional Institution*, C/A No. 9:21-cv-981-JD-MHC on July 12, 2021;

4. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Izell D. Hair v. Brian Kendell, Warden*, C/A No. 2:21-cv-311-TMC-MGB on July 20, 2021; and

5. Counsel is currently working on the Return to Petition for Writ of Certiorari in the matter of *Andres Antonio Torres v. State of South Carolina*, Appellate Case No. 2020-000842. A Spartanburg County death penalty matter currently pending in the South Carolina Supreme Court

This motion is not made for the purpose of mere delay, but out of necessity based on the forgoing.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General


JULIANNA E. BATTENFIELD  
Assistant Attorney General  
No. 103135

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(803) 734-6305

By: s/ Julianna E. Battenfield  
JULIANNA E. BATTENFIELD  
ATTORNEYS FOR RESPONDENT

July 28, 2021.

I support the finding of good cause.

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

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**CERTIFICATE OF SERVICE**

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I, Angela Brown, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Third Extension of Time to File Initial Brief of Respondent and Designation, and Certificate of Service has been forwarded to Appellant's counsel, David Alexander, Esquire, via email today, July 28, 2021 to [dalexander@sccid.sc.gov](mailto:dalexander@sccid.sc.gov), and to his assistant Lindsey Matthews at [lmattews@sccid.sc.gov](mailto:lmattews@sccid.sc.gov).

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

This 28<sup>th</sup> day of July, 2021.

s/Angela Brown  
Angela Brown,  
Legal Assistant to Julianna E. Battenfield,  
Assistant Attorney General

## Angela Brown

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**From:** Angela Brown  
**Sent:** Wednesday, July 28, 2021 9:48 AM  
**To:** David Alexander (dalexander@sccid.sc.gov); 'Matthews, Lindsey'  
**Cc:** Julianna Battenfield  
**Subject:** The State v. Brandon Grayer  
**Attachments:** 02656304.pdf

**Follow Up Flag:** Worldox

Mr. Alexander,

Please find attached the state's Motion for Third Extension of Time to File the Initial Brief of Respondent and Designation of Matter in the case of The State v. Brandon Grayer. The motion will be electronically filed with the Court of Appeals on today's date.

Thank you,

**Angela Bennett Brown, Administrative Coordinator**  
Office of the South Carolina Attorney General  
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