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Oct 25 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Lexington County
The Honorable William P. Keesley, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMAL DEVONTAE COBURN,

APPELLANT.

Appellate Case No. 2020-001528

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. This is a second extension request. In support of this motion, counsel would respectfully show the Court the following good cause:

Respondent's Initial Brief is due to be filed on Wednesday, October 27, 2021. Counsel for Appellant, Adam S. Ruffin has consented to extensions requests through October 31, 2021. The undersigned attorney has had a number of personal, state, and federal matters to attend to since September 24, 2021. Specifically,

1. Counsel also filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Michael Fitzgerald Wiggleton vs. Jonathan Nance, Warden, C/A No. 9:21-01620-CMC-MHC on September 29, 2021;

2. Counsel filed the Petition for Writ of Certiorari in the matter of The State vs. Demontay M. Payne, Appellate Case No. 2021-001087, a Barnwell County direct appeal matter now pending in the South Carolina Supreme Court, also on September 29, 2021;

3. On October 1, 2021 counsel filed the Respondent's Response in Opposition to Petitioner's Motion to Amend his Objections to the Report and Recommendation [ECF #43] in the matter of Keiron Coleman, #359333 vs. Warden McCormick Correctional Institution, C/A No. 4:20-4475-MBS;

4. Counsel filed the Brief of Respondent in the matter of The State vs. Ronald H. Mack, Appellate Case No. 2020-001101, a Williamsburg County direct appeal matter now pending in the South Carolina Supreme Court on October 7, 2021;

5. Counsel filed the Respondent's Reply to Petitioner's Response in Opposition to the Motion to Dismiss [ECF #34] in the matter of Anthony Derome Richardson vs. Warden of Trenton Correctional Institution, C/A No. 8:21-00899-JD-JDA on October 8, 2021;

6. Counsel filed the Return to Petition for Writ of Certiorari in the matter of The State vs. Santonio Williams, Appellate Case No. 2021-000872, an Aiken County direct appeal matter now pending in the South Carolina Supreme Court on October 14, 2021;

7. Counsel filed the Respondent's Second Reply to Petitioner's Response in Opposition to the Motion to Dismiss [ECF #37] in the matter of Anthony Derome Richardson vs. Warden of Trenton Correctional Institution, C/A No. 8:21-00899-JD-JDA on October 22, 2021;

8. Counsel is currently preparing for remote oral argument in the matter of Marion Bowman, Jr. v. Bryan Stirling, Case No. 20-12, a capital Federal Habeas matter now pending in the United States Court of Appeals for the Fourth Circuit, and is scheduled for Thursday, October 28, 2021; and

9. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for good cause shown, counsel respectfully requests a second thirty (30) day 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
Senior Assistant Deputy Attorney General
S.C. Bar No. 14244

W. JOSEPH MAYE
Assistant Attorney General
S.C. Bar No. 100851

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: *s/W. Joseph Maye*
W. JOSEPH MAYE
ATTORNEYS FOR RESPONDENT

October 25, 2021.

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APPELLANT.

Appellate Case No. 2020-001528

PROOF OF SERVICE

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to W. Joseph Maye, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Second Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to appellant's counsel, Adam S. Ruffin, Esq., via email today, October 25, 2021 to aruffin@sccid.sc.gov and to his assistant at sleverett@sccid.sc.gov.

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

This 25th day of October, 2021.



Donna D'Alessio, Legal Assistant to
W. Joseph Maye,
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

Donna D'Alessio

From: Donna D'Alessio
Sent: Monday, October 25, 2021 4:09 PM
To: 'aruffin@sccid.sc.gov'; 'sleverett@sccid.sc.gov'
Subject: Coburn, Jamal D. - Appellate Case No. 2020-001528 - Motion for Second Extension of Time to file Initial Brief of Respondent
Attachments: Coburn, Jamal D. - Appellate Case No. 2020-001528 - Motion for SECOND extension of time to file IBOR 10-25-21 (02796958xD2C78).pdf

Dear Mr. Ruffin:

Attached is a scanned copy of the Respondent's Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter regarding the above matter. The Second Motion for Extension and Proof of Service are being submitted to the South Carolina Court of Appeals through e-filing, along with a copy of this email.

Hope you are well, and thank you.

Donna D'Alessio, Legal Assistant
Capital Litigation
Office of the Attorney General
State of South Carolina
Post Office Box 11549
Columbia, South Carolina 29211-1549
DDAlessio@scag.gov
(803) 734-6305
(803) 734-4035 – Fax
(803) 734-1494 – Direct Line