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Nov 15 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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On Writ of Certiorari to Orangeburg County  
Honorable Edgar W. Dickson, Circuit Court Judge  
Appellate Case No. 2020-000093

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GEORGE NAPOLEON MOSES,

Petitioner,

vs.

THE STATE,

Respondent.

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**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE BRIEF OF RESPONDENT**

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

**I.**

The Brief of Respondent is due to be served and filed on November 15, 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 **fourth** and **final** extension in the above-referenced appeal involving the Access to Justice Post-Conviction DNA Testing Act and asks for an additional thirty days to complete the brief in this case. On Wednesday of last week, the undersigned counsel participated in oral argument at the Court of Appeals in State v. Isaiah Gadson, Jr., which

required more preparation than normal due to the fact undersigned counsel was not assigned to the matter until the oral argument stage of the appeal. Along with that and other responsibilities in the office, the undersigned counsel has submitted a Brief of Respondent to the Supreme Court in State v. Sidney Moorer and has submitted a Return to Petition for Writ of Certiorari to the Supreme Court in State v. Robert Lee Miller, III.

**III.**

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case has required significant research because the case involves an important issue dealing with the propriety of a ruling concerning the Access to Justice Post-Conviction DNA Testing Act. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet 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.

**IV.**

Before filing this extension request, the State has consulted with counsel for Petitioner about the matter, and counsel for Petitioner has graciously indicated she consents to the State's request for an additional extension.

**WHEREFORE**, Respondent prays that the Court extend the deadline for the service and filing of the Brief of Respondent 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,

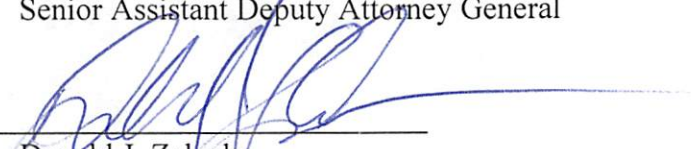
ALAN WILSON  
Attorney General

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

November 15, 2021

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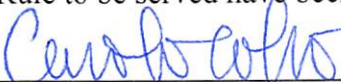
**PROOF OF SERVICE**

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

Jessica M. Saxon, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.  
This 15th day of November, 2021.

  
\_\_\_\_\_  
CAROLINE COLLINS  
Administrative Coordinator  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

## Caroline Collins

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**From:** Caroline Collins  
**Sent:** Monday, November 15, 2021 4:16 PM  
**To:** 'jsaxon@sccid.sc.gov'  
**Cc:** Warren, Kaylynn; Mark Farthing; William Blich  
**Subject:** George Napoleon Moses v. The State (2020-000093)  
**Attachments:** Moses.Fourth Extension Request (BOR) (02817536xD2C78).PDF

Good Afternoon Ms. Saxon,

Attached please find a Motion for Fourth Extension of Time Within Which to Serve and File Brief of Respondent in George Napoleon Moses v. The State (2020-000093). This motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

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

Thank you!

**CAROLINE COLLINS**, Administrative Coordinator  
South Carolina Attorney General's Office  
Criminal Appeals | Office 803-734-3723 | [ccollins@scag.gov](mailto:ccollins@scag.gov)  
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