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Dec 06 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 THIRD 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 third extension request. In support of this motion, counsel would respectfully show the Court the following good cause:

Respondent's Initial Brief was due to be filed on November 29, 2021. Counsel for Appellant, Adam S. Ruffin has consented to extensions requests through December 31, 2021. The undersigned attorney has had a number of personal, state, and federal matters to attend to since November 5, 2021. Specifically:

1. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Vernon Goodwin vs. Kenneth Nelson, Warden of Broad River Correctional Institution, C/A No. 4:21-cv-2051-TMC-TER on November 10, 2021;

2. Counsel filed the Reply to Return to Petition for Writ of Certiorari in the matter of The State vs. Demontay M. Payne, Appellate Case No. 2021-001087, a Barnwell County murder appeal matter on November 12, 2021;

3. Counsel is also currently preparing for the deposition of trial counsel in the matter of Luzenski Allen Cottrell vs. State of South Carolina, 2018-CP-26-5709, a capital Horry County matter;

4. Counsel filed the Respondent's Motion to Strike [ECF #31] in the matter of Edward R. Anthony vs. South Carolina Department of Probation, Parole and Pardon Services, C/A No. 9:21-01143-BHH-MHC on November 12, 2021;

5. Counsel also filed the Respondent's Response in Opposition to Motion to Reverse and Vacate [ECF #29] in the matter of Edward R. Anthony vs. South Carolina Department of Probation, Parole and Pardon Services, C/A No. 9:21-01143-BHH-MHC on November 12, 2021;

6. Counsel filed the Respondent's Response in Opposition to Petitioner's Motion for Relief from Judgment [ECF #68] in the matter of Gregory Green v. Donald Beckwith, Warden, C/A No. 0:17-2784-RBH;

7. Counsel is also currently preparing the Brief of Respondent in the matter of The State vs. Tyrone A. Wallace, Jr., Appellate Case No. 2021-000332, a Beaufort County direct appeal matter now pending in the South Carolina Court of Appeals; and

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

WHEREFORE, for good cause shown, counsel respectfully requests a third 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. This extension will make Respondent's Initial Brief due January 5, 2021.

Respectfully Submitted,

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W. JOSEPH MAYE
ATTORNEYS FOR RESPONDENT

December 6, 2021.

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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 Third 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, December 6, 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 6th day of December, 2021.



Donna D'Alessio, Legal Assistant to
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