

**RECEIVED**

**Feb 04 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Dillon County  
Honorable Paul M. Burch, Circuit Court Judge  
Honorable Larry B. Hyman, Jr., Post-Conviction Relief Judge  
Appellate Case Tracking No. 2018-001898

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Sammy Lee Scarborough,

Petitioner,

vs.

State of South Carolina,

Respondent.

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**MOTION OUT OF TIME FOR EXTENSION  
TO SERVE AND FILE BRIEF OF RESPONDENT**

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Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

**I.**

The Brief of Respondent was due to be served and filed in the above mentioned case on January 21, 2022.

**II.**

The Brief of Petitioner in this case was served on Respondent December 22, 2021, and at that time it was determined that the Brief of Respondent would be reassigned to another attorney after the holiday, due to the heavy workload of the current counsel of record for the State. However, due to an administrative oversight, our office inadvertently missed the filing date and the brief has not yet been completed. The State seeks a thirty (30) day extension in order to

complete the Brief of Respondent.

**III.**

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

**IV.**

Robert M. Dudek, Chief Appellate Defender of the South Carolina Commission on Indigent Defense, has graciously consented on behalf of Appellate Defender Taylor D. Gilliam, pursuant to the reciprocal consent agreement for extensions and out of time filings memorialized in electronic correspondence from Deputy Attorney General Donald J. Zelenka, dated December 29, 2021, for all extensions, consent requests, and out of time filings up to and including January 31, 2022.

WHEREFORE, Respondent respectfully requests the Court grant the extension out of time; allow the State thirty (30) days within which to serve and file the Brief of Respondent; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Senior Assistant Deputy Attorney General



BY: \_\_\_\_\_  
William M. Blitch, Jr.  
Office of the Attorney General

Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

February 4, 2022

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**PROOF OF SERVICE**

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I, Caroline Collins, certify that I have served the within Motion Out of Time to Serve and File Brief of Respondent on Petitioner by emailing a copy to his counsel of record, Taylor D. Gilliam, at his primary email address as provided by the Attorney Information System (AIS).

I further certify that all parties required by Rule to be served have been served.  
This 4<sup>th</sup> day of February, 2022.



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

## Caroline Collins

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**From:** Caroline Collins  
**Sent:** Friday, February 4, 2022 1:53 PM  
**To:** Gilliam, Taylor  
**Cc:** Warren, Kaylynn; William Blitch; Dudek, Robert  
**Subject:** Sammy Lee Scarborough v. State of South Carolina (2018-001898)  
**Attachments:** SCARBOROUGH Sammy - Motion Out of Time for Extension to Serve and File Brief of Respondent - 2018-001898 (02892099xD2C78).PDF

Good Afternoon Mr. Gilliam,

Attached please find a copy of a Motion Out of Time for Extension to Serve and File Brief of Respondent in Sammy Lee Scarborough v. State of South Carolina (2018-001898). 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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