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**Mar 04 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lancaster County

Honorable Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JERMAINE DEMARCUS GRIER,

APPELLANT.

APPELLATE CASE NO. 2021-000444

MOTION FOR EXTENSION TO FILE  
INITIAL BRIEF OF RESPONDENT

WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney General

Office of the South Carolina Attorney General  
PO Box 11589  
Columbia, SC 29211-1589  
(803) 734-6305

ATTORNEY FOR RESPONDENT

Respondent would respectfully move this Court for a first extension of time within which to file the Initial Brief of Respondent. The Brief is due to be served and filed today, March 4, 2022. The undersigned attorney moves for the time to file the return be extended by thirty additional days up to and including April 4, 2022. This motion is made because the Respondent has not been able to respond within the allotted time for the following reasons:

1. Counsel has been reviewing matters due to his involvement as Chairman on the Office of the Attorney General's Appellate Decision Review Committee. The Committee was formed to review all adverse decisions in Capital, Federal Habeas, Direct Appeals, and Post-Conviction Relief matters, and to determine whether the State will appeal these rulings. In the last thirty days, counsel has reviewed the following matters: on February 3, 2022, *Arsenio Colclough vs. State of South Carolina*, a Sumter County Post Conviction Relief matter. The committee meets today also and will be considering two cases.

2. On February 3, 2022, counsel prepared and filed the Status Report & Response to Text Order ECF 43 in the matter of *The Slate v. Karriem Provet*, Case 6:21-cv- 01623-MBS-KFM, a Federal Habeas Corpus case pending the District Court;

3. Counsel was on sick leave on February 22, 2022.
4. Counsel filed the Status Report in the case of *Anthony Woods vs. Bryan P. Sterling* on February 22, 2022, Case No. 5:18-CV-00144-DCN-KDW, a Federal Habeas Corpus case pending in the District court.
5. Counsel and Co-Counsel prepared for and participated in a Deposition on March 3, 2022 in the Capital Case of *Bayan Aleski v. The State of South Carolina*, and participated as well in the evidentiary hearing the same day on the applicant's claim of intellectual disability.
6. Worldox in which the South Carolina Attorney General's Office uses to manage, create, and store all of our files was out of service from Friday, February, 19, 2022 at 6 pm until February 28, 2022.

Because of counsel's involvement in these matters, counsel has been unable to timely complete the Brief of Respondent in this proceeding and would request a thirty (30) day extension within which to do so. This request is made in good faith, and not for the purpose of delay.

WHEREFORE, for all the forgoing reasons, the undersigned counsel respectfully requests that the court accept this motion and grant a thirty (30) day extension of time to serve and file the Return in this matter.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
No. 07979

WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney  
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Post Office Box 11549 Columbia,  
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By: s/ William Edgar Salter, III  
ATTORNEYS FOR RESPONDENT

March 4, 2022

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SC Court of Appeals

SOUTH CAROLINA  
COURT OF APPEALS

APPEAL FROM LANCASTER  
COUNTY

Honorable Brian M. Gibbons,  
Circuit Court Judge

Appellate Case No. 2021-000444

THE STATE, .....RESPONDENT

v.

JERMAINE DEMARCUS GRIER..... APPELLANT.

**PROOF OF SERVICE**

I, Brandy Rankin, as an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Extension to file Initial Brief of Respondent and Proof of Service has been forwarded to Appellant's counsel, David Alexander, Esq., via email today, March 4, 2022 to Mr. Alexander, [dalexander@sccid.sc.gov](mailto:dalexander@sccid.sc.gov), and to Mr. Alexander's legal assistant, Lindsey Matthews, [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 4th day of March 2022.

*Brandy Rankin*

Brandy Rankin, Legal Assistant to  
William Edgar Salter, III

Office of the Attorney General  
Post Office Box 1 1549  
Columbia, SC 29211-1549  
(803) 734-3727

## **Brandy Rankin**

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**From:** Brandy Rankin  
**Sent:** Monday, January 31, 2022 4:28 PM  
**To:** 'Hackett, Susan'  
**Cc:** Stock, Chris; Julianna Battenfield  
**Subject:** Brief of Respondent - John William McCarty - Appellate Case No. 2021-000062  
**Attachments:** Brief of Respondent w- Proof of Service - Adobe Version - 1-31-22 - John William McCarty (02886817xD2C78).pdf

Dear Ms. Hackett,

Please find attached the Brief of Respondent. This document will be filed today, January 31, 2022 with the South Carolina Supreme Court along with a copy of this email. We hope this find you all well.

Sincerely,

Brandy

**Brandy Rankin**, Legal Assistant  
Office of the South Carolina Attorney General  
Capital Litigation | Office 803-734-6305 |  
P.O. Box 115491 Columbia, SC 29211  
[BrandyRankin@scag.gov](mailto:BrandyRankin@scag.gov)



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## Brandy Rankin

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**From:** Brandy Rankin  
**Sent:** Friday, March 4, 2022 11:33 AM  
**To:** 'dalexander@sccid.sc.gov'  
**Cc:** 'Matthews, Lindsey'; Ed Salter  
**Subject:** Jermaine DeMarcus Grier 2021-000444  
**Attachments:** First Extension To File IBOR - Use this one (02915017xD2C78).pdf; Proof of Service Adobe red (02915086xD2C78).pdf

**Follow Up Flag:** Worldox

Dear Mr. Alexander,

Please find attached the First Motion for Extension and the Proof of Service. This is being re-sent to include the Proof of Service. Both documents will be filed with the South Carolina Court of Appeals today, March 4, 2022.

Thank you.

Brandy

**Brandy Rankin**, Legal Assistant  
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