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**Sep 01 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Florence County  
Court of General Sessions

The Honorable D. Craig Brown, Circuit Court Judge

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GREGORY DANIELS,

Appellant,

v.

STATE OF SOUTH CAROLINA,

Respondent.

Appellate Case No. 2021-001298

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

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

Respondent's Initial Brief and Designation of Matter are due to be served and filed today, September 1, 2023 as per this Court's Order dated August 3, 2023 granting Respondent's third extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since August 3, 2023. Specifically, Counsel has a full schedule of

cases. Those matters are reflected in the following work product: prepared for and represented the State in a term of non-capital PCR cases in Greenville the week of July 24-28, 2023; prepared for and attended an informal conference in a capital federal habeas action on July 27, 2023 (*Quincy Allen*); prepared for and attended a continuation of a capital PCR case in Lauren July 31 – August 2, 2023 (*Ricky Blackwell*); prepared and filed on July 31, 2023 a response in opposition to motion to reconsider in a non-capital federal habeas action (*Ebon Roberts*); prepared and filed a reply in another non-capital federal habeas action on August 1, 2023 (*Gary Thomas*); prepared and filed on August 7, 2023 a return to petition for writ of certiorari in the Supreme Court of South Carolina in a non-capital murder direct appeal (*Angelita Wright*); attended an out-of-state conference August 9-12, 2023; prepared and filed on August 10, 2023 a response to post trial motion in another non-capital federal habeas action (*George Middleton*); prepared and filed a reply on August 10, 2023 in another non-capital federal habeas action (*Gerald Haltiwanger*); prepared and filed on August 14, 2023 a brief in the Supreme Court of South Carolina in a post-conviction relief appeal (*Justin Cone*); prepared and filed on August 14, 2023 a status report in a capital federal habeas action (*James Robertson*); prepared and filed on August 18, 2023 returns in two non-capital post-conviction relief actions (*Brandon Garrison, Tony Sweet*); prepared and served a response in opposition to motion for a new trial in former capital case (*Charles Wakefield*); prepared and filed a status report in another capital habeas action (*William Dickerson*); prepared and filed on August 24, 2023 a response to motion for stay of execution in a capital matter entering federal habeas (*Andre Torres*); and prepared for presentation of the State's motion to compel discovery in a capital case scheduled for August 25, 2023, but continued by the trial judge (*Bobby Wayne Stone*). Additionally, the undersigned has

prepared administrative reports and completed a roster for a term of non-capital PCR scheduled for the week of September 18-22, 2023.

Due to counsel's involvement in these and other matters pending in both state and federal court, counsel has been unable to timely complete the Initial Brief of Respondent.

WHEREFORE, counsel respectfully requests a 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

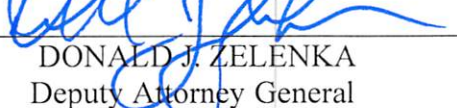
MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
S.C. Bar No: 14244

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(803) 734-6305

By:  MRF  
RA MELODY J. BROWN  
ATTORNEYS FOR RESPONDENT

September 1, 2023.

I support the finding of good cause.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

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**PROOF OF SERVICE**

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I, Melody J. Brown, hereby certify that the Motion for Extension Time, and Certificate of Service has been forwarded to Appellant via US mail today, September 1, 2023 addressed to Gregory Daniels, #297449, Lee Correctional Institution, 990 Wisacky Highway, Bishopville, South Carolina 29010.

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

This 1<sup>st</sup> day of September, 2023.

*s/ Melody J. Brown*

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