

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal From Georgetown County  
The Honorable Benjamin H. Culbertson, Circuit Court Judge  
Appellate Case No. 2012-213222

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THE STATE,

Respondent,

vs.

JODY LYNN WARD,

Appellant.

**RECEIVED**  
JUL 17 2013  
SC Court of Appeals

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**MOTION FOR THIRD 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 file the Initial Brief of Respondent in the above-referenced case. This is Respondent's third extension request. Respondent's Initial Brief is due to be served and filed today, July 17, 2013, this Court having granted Respondent's second request for an extension filed on June 21, 2013.

Pursuant to the Supreme Court's order dated March 18, 2009, the undersigned counsel for Respondent has been scheduled for a number of state and federal matters since June 17, 2013, that include, but are not limited to, the following:

1. Counsel was out of the office on June 17, 2013;
2. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Dwight Sullivan, #309653 vs. Leroy Cartledge, C/A No. 8:13-876-TMC-JDA* on June 27, 2013;

3. Counsel prepared the Respondent's Return to Petition for Writ of Certiorari in the Beaufort County murder appeal matter of *The State vs. Kenneth Sammy Williams* on June 28, 2013;

4. Counsel prepared the Respondent's Response to Reply to Respondent's motion for Summary Judgment in the matter of *Murray Adkins, III, #264418 vs. Warden Kirkland Correctional Institution*, C/A No. 1:12-03131-MGL-SVH on July 11, 2013;

5. Counsel prepared the Respondent's Return to Petition for Writ of Certiorari in the Dorchester County murder appeal matter of *The State vs. Trevee J. Gethers* on July 12, 2013;

6. Counsel prepared the Final Brief of Respondent in the Charleston County murder appeal matter of *The State vs. Gregory Gathers* today, July 17, 2013; and

7. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Jimmy H. Causey, #172046 vs. Michael McCall, C/A No. 4:13-604-TMC-TER.

Due to these reasons, counsel was unable to properly prepare the Initial Brief of Respondent and Designation of Matter in this case in a timely fashion and requests an extension. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH

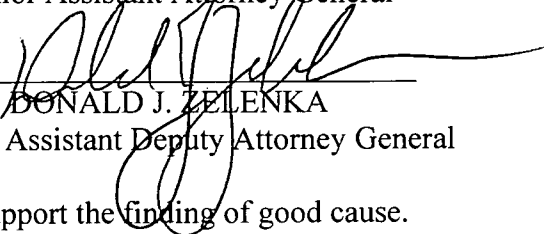
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General  
No. 4425

WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney General  
No. 3710

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

By:   
WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney General

By:   
DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

I support the finding of good cause.

ATTORNEYS FOR RESPONDENT

July 17, 2013.

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**PROOF OF SERVICE**

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I, William Edgar Salter, III, do hereby certify that on this date, I served the *Motion for Third Extension of Time to File Initial Brief of Respondent and Designation of Matter* in the foregoing action on the Appellant by depositing two (2) copies of the same in the United States mail, first-class postage prepaid, and addressed as follows:

Jody Lynn Ward, #300644  
Lieber Correctional Institution  
P.O. Box 205  
Ridgeville, SC 29472

This 17<sup>th</sup> day of July, 2013.

By: 

WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney General

ATTORNEYS FOR RESPONDENT