

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County
The Honorable G. Thomas Cooper, Circuit Court Judge
Appellate Case No. 2012-209426

RECEIVED
JUL 29 2013
SC Court of Appeals

THE STATE,

Respondent,

vs.

HENRY GRAY,

Appellant.

**MOTION FOR FOURTH 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 Respondent's fourth extension request. Respondent's Initial Brief is due to be served and filed today, July 29, 2013, this Court having granted Respondent's third request for an extension filed on July 1, 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 27, 2013, that include, but are not limited to, the following:

1. 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;

2. 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;

3. 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;

4. 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;

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

6. Counsel prepared the Return to Petition for Writ of Certiorari in the Horry County murder appeal matter of *The State vs. Jimmy Lee Sessions* on July 18, 2013;

7. Counsel also prepared the Return to Petition for Writ of Certiorari in the Horry County murder appeal matter of *The State vs. Christopher Stephens* on July 19, 2013;

8. 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; and

9. Counsel attended the AGACL [The Association of Government Attorneys in Capital Litigation] 34th Annual Seminar in Washington, D.C. from Wednesday, July 24, 2013 to Friday, July 26, 2013.

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

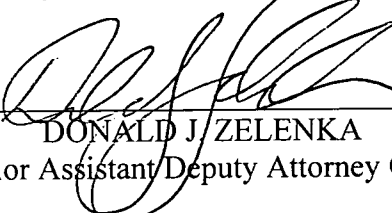
JOHN W. McINTOSH
Chief Deputy Attorney General

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

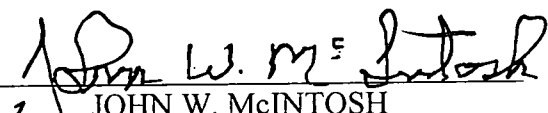
WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

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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.

By: 
JOHN W. McINTOSH
Chief Deputy Attorney General

ATTORNEYS FOR RESPONDENT

July 29, 2013.

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PROOF OF SERVICE

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 counsel for the Appellant by depositing two (2) copies of the same in the United States mail, first-class postage prepaid, and addressed as follows:

David Alexander, Esq.
SCCID/Division of Appellate Defense
1330 Lady St., Ste. #401
Columbia, SC 29201-3332

This 29th day of July, 2013.

By: 
WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
ATTORNEYS FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

July 29, 2013

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Fourth Extension Request
The State v. Henry Gray
Appeal from Richland County
Appellate Case No. 2012-209426

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, July 29, 2013. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Motion for Extension to File Initial Brief of Respondent and Designation of Matter. I am informing opposing counsel of my request by copy of this letter.

Sincerely,

William Edgar Salter, III
Senior Assistant Attorney General

RECEIVED

JUL 29 2013

SC Court of Appeals

WES:dmd

Enclosures

cc: David Alexander, Esq. (w/two (2) copies of encls.)