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Jan 19 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Jasper County
The Honorable Robert Bonds, Circuit Court Judge

THE STATE,

Respondent,

v.

BRIAN JAMEL REDDING,

Appellant.

Appellate Case No. 2022-001213

**MOTION FOR 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 serve and file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel has graciously consented to all extensions through January 31, 2024. This is a fourth request for an extension. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of matter are due today, January 19, 2023, according to this Court's Order dated December 21, 2023, granting Respondent's third extension request. The undersigned counsel, however, has had a number of state and federal matters to attend since December 21, 2023. Specifically, in addition to consulting with associated counsel regarding the brief due in this appeal, undersigned counsel: prepared and submitted proposed final orders of dismissal in two PCR case (*Antonio Calloway, Orlando Parker*); prepared and

circulated proposed orders of dismissals in four other PCR cases (*Robert Moore, Corina Castro, Demond Burgess, Kevin Willson*), and a proposed order striking an affidavit in one of those cases (*Kevin Willson*); prepared and filed a return to a PCR application (*Jeremy Watson*); prepared and filed a reply to response in opposition to motion to dismiss in a federal habeas corpus case, and in that same case, prepared and filed responses opposing discovery and appointment of counsel, and a notice of filing (an additional state court record) (*James McClurkin*); prepared and filed a reply to objections in another federal habeas corpus action (*Gene Tony Cooper*); prepared and filed status reports in three capital federal habeas corpus actions (*James Robertson, Anthony Woods, Bobby Wayne Stone*); completed and filed a return and memorandum of law in support of motion for summary judgment in another capital federal habeas corpus action (*William Dickerson*); prepared for and participated in a status conference for a new trial motion hearing (*Charles Wakefield*); and, prepared for and participated in a PCR evidentiary hearing in Greenville County (*Jeremy Alan Watson*). Additionally, counsel is also currently working on a mandatory brief in opposition to be filed on or before January 22, 2024, in the Supreme Court of the United States in a capital case (*Timothy Ray Jones, Jr.*). This is in addition to carrying out administrative and supervisory duties for her assigned section.

Counsel has associated the assistance of another attorney in preparation of the brief, Senior Assistant Deputy Attorney General Deborah R.J. Shupe. However, she also has a number of matters to attend to and was unable to complete the brief. Specifically, in addition to drafting the brief for this appeal, counsel is currently drafting briefs in (*Harold White, III, Thomas Davis, In the Matter and Care of Tacey Fabien, In the Matter of Care and Treatment of Joseph Curtis*); and reviews case filed on newly assigned PCR appeals (*Henry Dukes and Derrick Burnside*); and has attended a SVP commitment trial (*In the Matter of the Care and Treatment of George*

Pierson) in addition to having to prepare material for prosecution review committee. This is in addition to carrying out administrative and supervisory duties for her assigned section. Associated counsel notes that she has prioritized work considering her new assignments.

Due to counsel's involvement in these and other matters, counsel for the State has been unable to timely complete the Initial Brief of Respondent and Designation of Matter.

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.

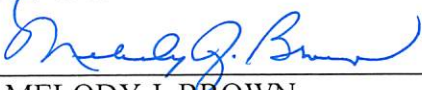
Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

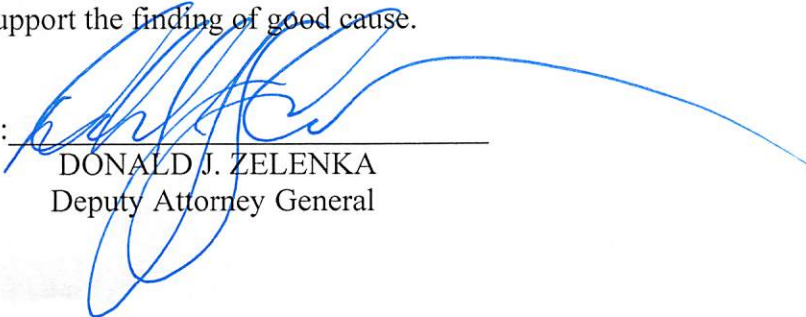
MELODY J. BROWN
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By: 
MELODY J. BROWN
ATTORNEYS FOR RESPONDENT

January 19, 2024

I support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

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PROOF OF SERVICE

I, Angela Brown, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Extension Time, and Certificate of Service has been forwarded to Appellant's counsel, Lara M. Caudy, Esquire via email today, January 19, 2024 to Lcaudy@sccid.sc.gov, and to her assistant Sara McInnis, at smcinnis@sccid.sc.gov.

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

This 19th day of January, 2024.

s/ Angela Brown

Angela Brown
Legal Assistant to Melody J. Brown
Senior Assistant Deputy Attorney General