

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Sumter County  
W. Jeffrey Young, Circuit Court Judge

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Appellate Case No. 2011-199366

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THE STATE,

RESPONDENT,

v.

DANIEL D'ANGELO JACKSON,

APPELLANT

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AUG 07 2013

SC Court of Appeals



**RESPONDENT'S MOTION TO EXTEND FILING OF  
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

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The Respondent, above-named, hereby make a motion to this Court to extend the time for filing the Initial Brief of Respondent and designation of matter until September 6, 2013. This final request is due to the length of the record on appeal (1263 pages), intervening business and unexpected events in state and federal court. The Appellant has a co-defendant, Reginald Canty, on a fifth extension which is being filed today.

*The Priorities*

Respondents have reviewed the matters and establish the following priorities for the next thirty days if this extension request is granted absent extraordinary intervening events:

1. State v. Daniel Jackson (4<sup>th</sup> extension requested to September 6, 2013).
2. State v. Lamar Williams, Initial Brief of Respondent (3<sup>rd</sup> extension) - August 12


12, 2013.

3. State v. Damien Inman - IBOR - August 12, 2013 (3<sup>rd</sup> extension).
4. State v. Sidney Bret Hursey - IBOR - first extension to August 14.
5. State v. Tavorio Brunson - IBOR extended to August 28, 2013.

Respondents below-signed counsel is confident that these priorities can be met absent unexpected extraordinary circumstances and utilization of evenings and weekend work without further extension requests.

## II.

### *The Past Time Period*

 This request is due to Respondents' below-signed counsel have been involved in numerous litigation in both state and federal court during this time period which has prevented the completion of this brief in a sufficient and timely manner: Charles Williams v. State, death penalty PCR post-hearing memorandum of law (currently over 240 pages); Steven McClain v. Warden -federal habeas return and memorandum - filed June 27, 2013; Lisa Ramirez v. Warden - federal habeas corpus return and memorandum - filed July 8, 2013; Albert Scruggs v. Warden - Return to Amended Habeas Petition - federal court ordered - filed July 15, 2013; State v. Greg Isaac - Interlocutory Stand Your Ground Appeal - court-ordered expedited response to Brief of Appellant received on July 17, 2013 - court ordered briefing due and filed by below-signed counsel on July 19, 2013. Gary W. Presley v. Detention Center - federal habeas action - court-ordered Return - filed July 24, 2013; Gary W. Presley v. Detention Center - federal habeas action - opposition to summary judgment - filed July 22, 2013; Bobby Wayne Stone v. State - Rule 59 motion hearing - Florence - Judge Nettles - August 2, 2013; State v. Reginald Canty - to be filed

August 7, 2013 and Stephen Stanko v. S.C. - brief in opposition to petition for certiorari - U.S. Supreme Court due August 8, 2013.

*The Next Thirty Days*

Respondent currently has due in the next thirty days the following: State v. Reginald Canty (5<sup>th</sup> Extension to August 6, 2013); State v. Daniel Jackson (4<sup>th</sup> extension to August 6, 2013); Charles Williams v. State, death penalty PCR post-hearing memorandum of law (currently over 240 pages); Stephen Stanko v. State of S.C. - brief in opposition in U.S. Supreme Court - due August 8, 2013; State v. Scott Lee, direct appeal - Response to Motion for New Trial - ordered due August 8, 2013; State v. Victor White, Initial Brief of Respondent - August 9, 2013 (2<sup>nd</sup> extension); State v. Lamar Williams, Initial Brief of Respondent (3<sup>rd</sup> extension) - August 12, 2013; State v. Damien Inman - IBOR - (3<sup>rd</sup> Extension to August 12, 2013; Marcellus Knuckles v. Warden - federal habeas corpus response and memorandum of law - due August 14, 2013; State v. Sydney Hursey - Initial Brief of Respondent - due August 14, 2013 (one extension); Ismail Cruz v. Warden - federal habeas corpus response and memorandum of law - August 16, 2013); State v. Lorenzo Inman - Brief of Respondent - due August 16, 2013; Spencer Utsey v. Warden - federal habeas return and briefing - due August 23, 2013; State v. Richey Boyd, Initial Brief of Respondent - due August 26, 2013; State v. Tavario Brunson - initial Brief of Respondent requested August 28, 2013 (2<sup>nd</sup> extension).

II.

Counsel has contacted the office of opposing counsel, Appellate Defender Carmen V. Ganjehsani concerning her position. She advise below-signed counsel today by telephone that she had no objection to this request.

III.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including September 6, 2013 to complete this Initial Brief of Respondent upon a showing of good cause and extraordinary circumstances for the request.


Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

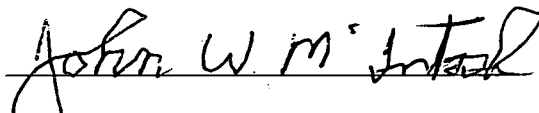
DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General  
S.C. Bar #5758

**ATTORNEYS FOR RESPONDENT**

By:   
Donald J. Zelenka  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
803-734-6305

August 7, 2013

I concur that good cause and extraordinary circumstances has been shown:

  
John W. McIntosh  
Chief Deputy Attorney General

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**THE STATE,**

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v.

**DANIEL D'ANGELO JACKSON,**

**APPELLANT**

**CERTIFICATE OF SERVICE**

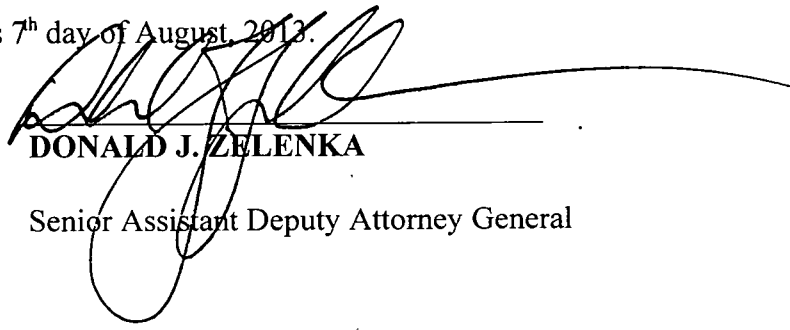
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*I, Donald J. Zelenka*, hereby certify that I have served Respondents **Motion to Enlarge**

**Time for Filing Initial Brief of Respondent** by Intra-Agency mail on:

Ms. Carmen V. Ganjehsani, Esquire  
Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201

by depositing a copy in the Intra-Agency Mail this 7<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
**DONALD J. ZELENSKA**  
Senior Assistant Deputy Attorney General



ALAN WILSON  
ATTORNEY GENERAL

August 7, 2013

Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

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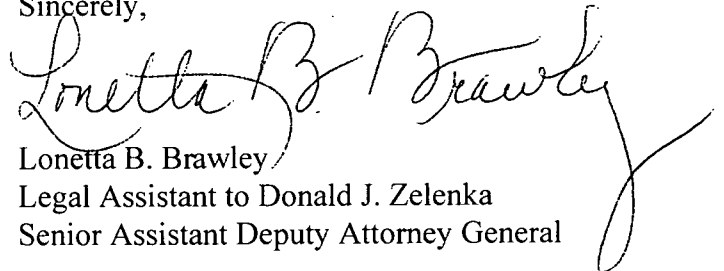
Re: The State v. Daniel D'Angelo Jackson  
Appellate Case No. 2011-199366

Dear Ms. Kitchings:

Enclosed please find a Motion to Enlarge Time for Filing Initial Brief of Respondent in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Thank you for your consideration.

Sincerely,

  
Lonetta B. Brawley  
Legal Assistant to Donald J. Zelenka  
Senior Assistant Deputy Attorney General

/lbb  
Enclosure

cc: Carmen V. Ganjehsani, Esquire