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Apr 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Charleston County
The Honorable Bentley Price, Circuit Court Judge

THE STATE,

Respondent,

v.

MAURICE TRIMAIN SINGLETON,

Appellant.

Appellate Case No. 2023-000553

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

The undersigned counsel would respectfully request an 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 April 30, 2024. This is the 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, April 3, 2024, according to this Court's Order dated March 6, 2024, granting Respondent's third extension request. Undersigned counsel for Respondent has had a number of state and federal matters to attend since March 3, 2024, that have hampered progress on the brief. Specifically, counsel has, in the last thirty days: prepared and filed an Emergency Motion for Temporary Stay of Proceedings

and Petition for Extraordinary Relief filed in the original jurisdiction of the Supreme Court of South Carolina (*Charles Wakefield, March 18, 2024*); and, a Reply to Response to Petition for Extraordinary Relief (*Charles Wakefield, April 1, 2024*); prepared and submitted for filing returns, moving for summary dismissal with proposed conditional orders of dismissal in two non-capital state post-conviction relief actions (*Marcus Watts, March 6, 2024; and Brandon Adams, March 11, 2024*); prepared and filed a return to petition for writ of certiorari in the Supreme Court of South Carolina in a non-capital murder conviction on direct appeal (*Rashawn Little, March 6, 2024*); prepared and filed in the Supreme Court of South Carolina a return to a motion to stay execution and for appointment of a judge to preside over a capital post-conviction relief action pursuant to S.C. Code Ann. § 17-27-160 in a capital case that completed direct appeal review (*Timothy Ray Jones, Jr., March 8, 2024*); prepared and filed a return and motion for summary judgment in a non-capital federal habeas corpus action (*Brandon Adams, March 11, 2024*); prepared and filed a response to Rule 59 motion in another non-capital federal habeas corpus action (*Terrell McCoy, March 12, 2024*); completed and filed a Brief of Petitioner in this Court in a non-capital post-conviction relief action appeal (*Willie Williams, March 28, 2024*); prepared and filed status reports in three capital federal habeas corpus action that are presently stayed (*James Robertson, March 15, 2024, Anthony Woods, March 15, 2024 and Bayan Aleksey, March 18, 2024*); completed and filed a return to petition for writ of certiorari in a capital case on appeal from the denial of state post-conviction relief (*James Robertson, March 20, 2024*); completed listing and provided requests for a Joint Appendix for a capital case on appeal in the Fourth Circuit Court of Appeals following the denial of federal habeas corpus relief (*Stephen Corey Bryant, March 25, 2024*); prepared a motion to seal in a capital federal habeas corpus action and submitted motion and exhibits to chambers on *March 29, 2024*, and filed the motion on *April 1, 2024* (*Andre Torres*);

prepared for and attended a status conference in two other capital cases in state PCR (*Louis Winkler and Anthony Woods*) (*March 19, 2024*), and in the Woods matter, consulted with Deputy General Counsel for the Department of Disabilities and Special Needs concerning possible additional evaluation of Woods then reported information to the state circuit court and counsel (*April 2, 2024*); continues to aid in the identification and preparation of cases for a roster to set the May 13-17, 2024, term of court to hear non-capital post-conviction relief actions in Greenville, South Carolina; and, is completing an initial brief of appellant in a non-capital murder direct appeal currently scheduled to be filed with this Court today (*Jaylen Bell, April 3, 2024*).

Due to counsel's involvement in these and other matters pending in state and federal court and considering counsel's administrative responsibilities as supervisor for murder appeals, federal habeas corpus actions and capital litigation, counsel has been unable to timely prepare the brief in the captioned case.

This request is made from necessity and not for the purpose of simple delay.

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

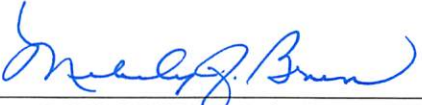
Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

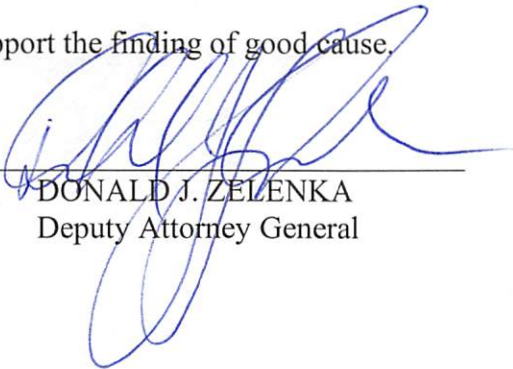
MELODY J. BROWN
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By: 
MELODY J. BROWN
ATTORNEYS FOR RESPONDENT

April 3, 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, Kathrine H. Hudgins, Esquire via email today, April 3, 2024, to KHudgins@sccid.sc.gov, and to her assistant Chris Stock, at Cstock@sccid.sc.gov.

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

This 3rd day of April, 2024.

s/ Angela Brown

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