

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Anderson County  
The Honorable R. Lawton McIntosh, Circuit Court Judge

---

Appellate Case No. 2012-207553

THE STATE,

Respondent,

v.

MATTHEW BRANDON FULLBRIGHT,

Appellant.

---

MOTION TO ENLARGE TIME FOR  
FILING INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER

---

RECEIVED  
SEP 30 2013  
SC Court of Appeals

The Respondent, above-named, by and through the undersigned attorneys, would respectfully move this Court for a 30-day extension of time within which to file its Initial Brief of Respondent. The Initial Brief of Respondent is due to be filed today, September 30, 2013. The undersigned attorneys for the above Respondent move that the time for return be extended to October 30, 2013. This motion is made because Respondent has not been able to respond within the allotted time for the following reasons:

1. The attorneys for the Respondent have had and are scheduled to have a number of State and Federal matters to attend to;

A) State v. Stephen Stanko (Death Penalty) Brief in Opposition to Petition for Writ of Certiorari in the United States Supreme Court (filed August 8, 2013);

B) State v. Evins (Capital PCR) Preparation for September 30<sup>th</sup> Merits hearing before the Honorable Garrison Hill, Circuit Court Judge (hearing cancelled on September 25 by Judge Hill but Motions still scheduled to be heard on September 30<sup>th</sup> in Greenville at 11:00 a.m.);

C) James Oscar Douglas v. Warden (Federal Habeas Return) (Burglary 1<sup>st</sup>, ABHAN)(Federal Habeas Return) **filed on September 20, 2013;**

D) Sylvester Singletary v. Warden (Federal Habeas)(Response to Motion to Amend requested by Judge Austin) **filed on July 31, 2013;**

E) Sylvester Singletary v. Warden (Federal Habeas Return) Supplemental Return **filed on September 19, 2013;**

F) David Heupel v. Warden (Murder & ABWIK) (Federal Habeas Return) Return and Memorandum of Law **filed on September 9, 2013;**

G) State v. Frankie McGee (Murder, Burglary 1<sup>st</sup> Degree) **Oral Argument in the S.C. Court of Appeals on September 10, 2013;**

H) State v. Antonio Miller (Murder) (Initial Brief of Respondent) *in process;*

J) Mikal Mahdi v. State (Capital PCR) Draft of Order of Dismissal for Judge Early, *in process;*

and other matters.

2. This is Respondent's second (2<sup>rd</sup>) extension request. Respondent has spoken with opposing counsel Susan B. Hackett, Esquire, and she does not object to the requested extension.

Respectfully submitted,

ALAN WILSON  
Attorney General

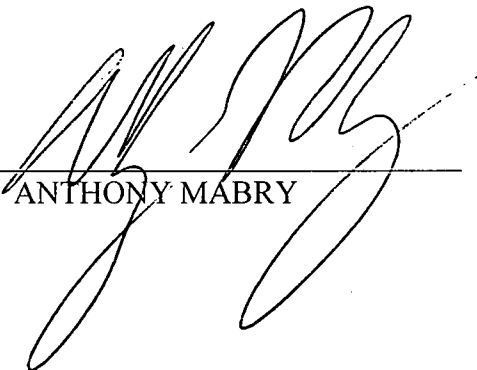
JOHN W. McINTOSH  
Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY  
Assistant Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-6305

**ATTORNEYS FOR RESPONDENT**

By:



ANTHONY MABRY

September 30, 2013

## CERTIFICATE OF SERVICE

I, **Anthony Mabry**, hereby certify that I have served the Motion to Enlarge Time for Filing Initial Brief of Respondent and Designation of Matter in the foregoing action by depositing copy in the InterAgency Mail to Susan B. Hackett, Appellate Defender, Division of Appellate Defense, 1330 Lady Street, Ste. 401, Columbia, SC 29201 this 30<sup>th</sup> day of September, 2013.



---

ANTHONY MABRY  
Assistant Attorney General



ALAN WILSON  
ATTORNEY GENERAL

September 30, 2013

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

Re: The State v. Matthew Brandon Fullbright  
Appellate Case No. 2012-207553

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 Anthony Mabry  
Assistant Attorney General

/lbb  
Enclosure

cc: Susan B. Hackett, Esquire

**RECEIVED**

SEP 30 2013

**SC Court of Appeals**