

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Orangeburg County  
Diane Schafer Goodstein, Circuit Court Judge

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The State of South Carolina,

Respondent,

v.

Romeo Brown,

Appellant.

Appellate Case No. 2012-212217

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OCT 16 2013

SC COURT OF APPEALS

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

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter. This is Respondent's second request for an extension of time in which to file the brief. In support of the request, undersigned counsel would respectfully show the Court:

1. Undersigned counsel for Respondent has been scheduled for a number of state and federal matters in the last thirty (30) days, that include, but are not limited to, the following: prepared and filed a return and memorandum of law in support of motion for summary judgment in a federal habeas action (*James Brown, Jr.*); prepared and filed a return to petition for writ of certiorari in the South Carolina Supreme Court in a non-capital murder direct appeal (*Eugene D. Patterson*); prepared and filed a return and memorandum of law in support of motion for summary judgment in another federal habeas action (*Vondell Sanders*); prepared for and presented oral

argument in another non-capital murder direct appeal in the Supreme Court of South Carolina (*Freddie Edwards*); prepared and filed the final brief of respondent in another non-capital murder direct appeal in this Court (*Julio Angelo Hunsberger*); prepared and filed a return and memorandum of law in support of motion for summary judgment in another federal habeas action (*Travis R. Brown*); filed a letter in the Supreme Court of South Carolina in response to a conditional retraction of waiver in a capital matter, and also prepared and filed a response in opposition to motion to quash competency evaluation in Richland County in the same capital matter (*Quincy Jovan Allen*); and, prepared and filed a final brief in another non-capital murder direct appeal in this Court (*Clarence Jenkins*). Counsel is also presently completing a Brief in Opposition to be filed in the United States Supreme Court October 17, 2013 in a capital post-conviction relief appeal (*Brad Sigmon*).

2. Due to her heavy case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal. Counsel has, however, reviewed a substantial portion of the transcript and will continue to work diligently to prepare and complete the responsive brief.

3. This is the second request for an extension of time in which to file a response.

THEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the initial brief and designation of matter.

Respectfully submitted,

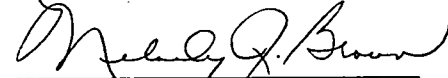
ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
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Senior Assistant Attorney General

BY:



MELODY J. BROWN

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October 16, 2013.  
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
In the Court of Appeals

Appeal from Orangeburg County  
Thomas A. Russo, Circuit Court Judge

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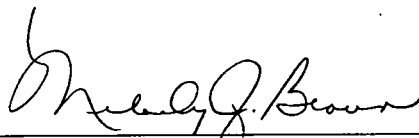
Appellate Case No. 2012-212217

**PROOF OF SERVICE**

I, Melody J. Brown, certify that I have served Respondent's Motion for a Second Extension of Time on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

Kathrine H. Hudgins, Appellate Defender  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

This 16<sup>th</sup> day of October, 2013.



MELODY J. BROWN

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ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

October 16, 2013

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

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SC Court of Appeals

Re: The State v. Romeo Brown  
Appeal from Orangeburg County  
Appellate Case No. 2012-212217

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Respondent's Motion for Second Extension of Time to file Initial Brief of Respondent and Designation of Matter, dated, together with a Proof of Service in the above-referenced matter.

Thank you for your assistance in this matter. Please call this office if you need any additional information.

Sincerely,

Melody J. Brown  
Senior Assistant Attorney General

MJB/mv

Enclosures

cc: Kathrine H. Hudgins, Appellate Defender