

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Lee Alford, Circuit Court Judge

Appellate Case No. 2013-000819

RECEIVED

FEB 18 2014

THE STATE,

RESPONDENT,

v.

SC Court of Appeals

RODERQUIZ R. COOK,

APPELLANT

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

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The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter until March 14, 2014. This matter was due on February 12, 2014, however, state offices in Richland County were closed due to the weather and the federal holiday until this date. This second request is due to intervening closing of the office due to weather and other business personal events in state and federal court. Below-signed counsel has received oral consent this date to this request.

I.

Since the initial request, counsel was involved in the death penalty PCR action of Anthony Woods v. State, involving the preparation and travel to Sumter for death penalty Death Penalty hearing on Tuesday January 14, 2014 before Judge James which concluded at 8:30 PM;

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travel to Sumter and participation in death penalty hearing which began at 10 and concluded at 1 PM on Wednesday January 15, 2014; preparation and filing of court-ordered response and memorandum of law in Ismael Cruz v. Warden, a federal habeas corpus matter concerning the effect of Martinez v. Ryan and the pendency of a successive PCR action on present federal habeas corpus proceedings on January 16, 2014; oral argument before the South Carolina Supreme Court in State v. Tavarío Brunson on January 22, 2014; filed an initial brief of respondent and motion in State v. Daniel DeAngelo Jackson on January 31, 2014; filed a motion to certify in State v. Daniel D. Jackson on February 4, 2014; filed an 86 page return and memorandum of law in Therl Taylor v. Warden federal habeas action on February 7, 2014; filing a Return on certiorari in State v. Jeffrey Michaelson on February 18, 2014; and preparing for an oral argument in the John Weik v. State death penalty PCR appeal scheduled for Wednesday February 19, 2014 in the South Carolina Supreme Court.

II.

Counsel has contacted opposing counsel Jared C. Williams this date and he advised below-signed counsel that he consents to this request.

III.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including May 8, 2013 to complete this Initial Brief of Respondent.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA

Senior Assistant Deputy Attorney General

ATTORNEYS FOR RESPONDENT

By: 

Donald J. Zelenka
Office of the Attorney General
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803-734-6305

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February 18, 2014

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IN THE COURT OF APPEALS

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THE STATE,

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CERTIFICATE OF SERVICE

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

Time for Filing Initial Brief of Respondent on:

Jared C. Williams, Esquire
Lawton Law Firm, LLC
496 Bramson Ct., Suite 100
Mt. Pleasant, SC 29464

Robert M. Dudek, Esquire
Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

by depositing a copy in the Mail with sufficient postage this 18th day of February, 2014.


DONALD J. ZELENSKA
Senior Assistant Deputy Attorney General



ALAN WILSON
ATTORNEY GENERAL

February 18, 2014

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SC Court of Appeals

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

Re: The State v. Roderquiz R. Cook
Appellate Case No. 2013-000819

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: Jared C. Williams, Esquire
Robert M. Dudek, Esquire