

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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FEB 21 2014

SC Court of Appeals

Appeal from Lexington County
Doyet A. Early, III, Circuit Court Judge

Appellate Case No. 2012-213596

THE STATE,

RESPONDENT,

v.

CLEOPUS N. EDWARDS, Jr.,

APPELLANT

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

Ms
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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 23, 2014. This matter is due on February 21, 2014. 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 is advising opposing counsel Arthur K. Aiken of this request by this motion.

I.

Since the initial request, counsel was involved oral argument before the South Carolina Supreme Court in State v. Tavario 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

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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 on February 19, 2014 in the South Carolina Supreme Court, filing and preparation of a Brief of Petitioner in State v. Shawn Miller in the S.C. Supreme Court on February 20, 2014, travel and preparation for depositions in Andres Torres v. State held on February 20, 2014 at the Kershaw Correctional Institution and on February 21, 2014 at the Livesay Correctional Institution.

III.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including March 23, 2014 to complete this Initial Brief of Respondent.

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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
Post Office Box 11549
Columbia, South Carolina 29211
803-734-6305

February 21, 2014

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CERTIFICATE OF SERVICE

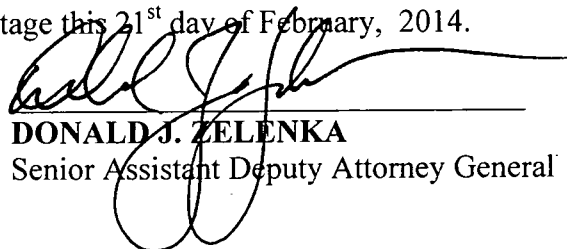
I, Donald J. Zelenka, hereby certify that I have served Respondents Motion to Enlarge

Time for Filing Initial Brief of Respondent on:

Arthur K. Aiken
2231 Devine Street, Suite 201
Columbia, South Carolina 29205

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 21st day of February, 2014.


DONALD J. ZELENA
Senior Assistant Deputy Attorney General



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FEB 21 2014
SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

February 21, 2014

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

Re: *The State vs. Cleopus N. Edwards, Jr.*
Appeal from Lexington County
Appellate Case No. 2012-213596

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, February 21, 2014. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the initial brief.

Therefore, I am enclosing an original and six (6) copies of a Motion to Extend Filing of Initial Brief of Respondent and Designation of Matter. I am informing opposing counsel of my request by copy of this letter.

Sincerely,

Donald J. Zelenka
Senior Assistant Deputy Attorney General

:dmd

Enclosures

cc: Arthur K. Aiken, Esq. (w/two copies of encls.)
Robert M. Dudek, Esq. (w/two copies of encls.)