

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Berkeley County

Kristi L. Harrington, Circuit Court Judge

RECEIVED
1 MAR 14 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

RON SANTA MCCRAY,

APPELLANT,

Appellate Case No.: 2012-213393.

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

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 due to be filed today March 14, 2014. This is Respondent's third 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 summary judgment in a federal habeas matter (*James Madison Compton*); prepared and filed another return and memorandum of law in support of summary judgment in another federal habeas matter (*Labrontae Agnew*); and,

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prepared and filed another return and memorandum of law in support of summary judgment in another federal habeas action (*Claude V. Jones, Jr.*).

2. Counsel has completed a review of the transcript and of the relevant case law and has substantially completed the initial brief in this matter. However, due to the above-listed circumstances, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal.

3. Opposing counsel does not object to this motion.

4. This is the third 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 of Respondent and Designation of Matter.

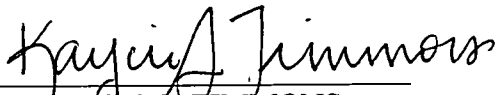
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

KAYCIE S. TIMMONS
Assistant Attorney General

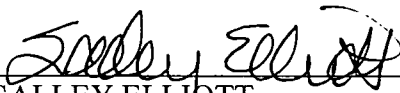
BY: 
KAYCIE S. TIMMONS
S.C. Bar No. 100237

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-0265

March 14, 2014.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this request.



SALLEY ELLIOTT
Senior Assistant Deputy Attorney General

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THE STATE,

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Appellate Case No.: 2012-213393.

PROOF OF SERVICE

I, Kaycie S. Timmons, certify that I have served Respondent's Motion for a Third 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:

James K. Falk, Esq.
Bush Law Group, P.C.
3 Broad Street, Suite 450
Charleston, SC 29401

Robert M. Dudek, Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 14th day of March, 2014.



KAYCIE S. TIMMONS
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ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

March 14, 2014

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SC Court of Appeals

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

Re: The State v. Ron Santa McCray
Appeal from Berkeley County
Appellate Case No. 2012-213393

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondent's Motion for Third Extension of Time to file the 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,

Kaycie S. Timmons
Assistant Attorney General

KST/mv

cc: Robert M. Dudek, Chief Appellate Defender
James K. Falk, Esq.