

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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

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Appellate Case No. 2012-213596

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THE STATE,

RESPONDENT,

**RECEIVED**

MAR 24 2014

**SC Court of Appeals**

v.

CLEOPUS N. EDWARDS, Jr.,

APPELLANT

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**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 April 23, 2014. This matter is due on March 24, 2014. This third request is due to other business personal events in state and federal court. Below-signed counsel spoke with opposing counsel Arthur K. Aiken today and was advised by him that he had no objection to this request.

I.

Since the initial request, counsel for the undersigned has had a number of other commitments in State and Federal court that have precluded timely completion of the Return. Since the initial request, counsel was involved in the death penalty PCR action of filing a Return on certiorari in State v. Jeffrey Michaelson on February 17, 2014; and preparing for

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oral argument in the John Weik v. State death penalty PCR appeal held Wednesday February 19, 2014 in the South Carolina Supreme Court, travel to Kershaw Correctional Institution for deposition in Torres v. State on February 20, 2014, preparation and completion of Brief of Petitioner in State v. Shawn Miller before the South Carolina Supreme Court on February 20, 2014, preparation and travel to Sumter for argument in Anthony Woods v. State (argued by Ed Salter) before Judge James on February 27, 2014, travel to Spartanburg for depositions in Torres v. State on February 21, review of petition for certiorari and filing an informal response in Billy W. Cope v. South Carolina on February 27, 2014 in the U.S. Supreme Court, travel to Spartanburg for depositions in Torres v. State on February 28; preparation and oral argument in the South Carolina Supreme Court in State v. Damien Inman on March 4, 2014; preparation and filing of Return to Certiorari in the South Carolina Supreme Court in State v. Johnnie Gaskins on March 7, 2014, preparing a Return for filing in the federal habeas action of Jabbar Straws v. Warden, preparation of a Brief in Opposition for the U.S. Supreme Court in Billy W. Cope v. State due to be filed April 7, 2014, travel to Bishopville, SC on March 21 for a status conference in the death penalty PCR of Quincy Allen v. State before Judge Cothran. Counsel is also preparing a Final Brief of Respondent and Supplemental Record to be filed on March 25, 2014 in State v. Daniel D'Angelo Jackson.

In preparation for the briefing in this case, Respondents have reviewed the over 500 page transcript and prepared and extensive outline of the record. The issues involved the admission of evidence concerning evidence concerning a laptop computer, clothing contained in a suitcase and DNA results.

III.

Wherefore Respondents respectfully request an extension of a period of thirty days up to

and including April 23, 2014 to complete this Initial Brief of Respondent.

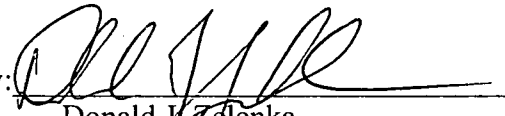
Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

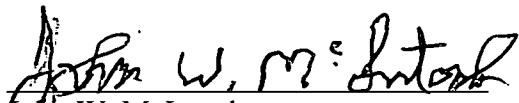
**ATTORNEYS FOR RESPONDENT**

By:   
Donald J. Zelenka  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
803-734-6305

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March 24, 2014

I concur the good cause has been shown.

  
John W. McIntosh  
Chief Deputy Attorney General

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**CERTIFICATE OF SERVICE**

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*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

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MAR 24 2014

COURT of Appeals

by depositing a copy in the Mail with sufficient postage this 24<sup>th</sup> day of March, 2014.

  
DONALD J. ZELENKA

Senior Assistant Deputy Attorney General



ALAN WILSON  
ATTORNEY GENERAL

March 24, 2014

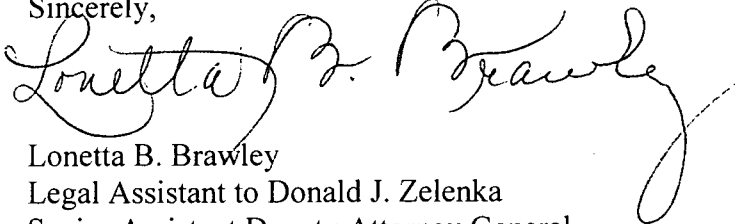
Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211

Re: The State v. Cleophus Edwards  
Appellate Case No. 2012-213596

Dear Ms. Kitchings:

Enclosed please find a Motion to Enlarge Time for Filing Initial Brief of Respondent and Designation of Matter in the above-captioned matter for filing in your office. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

  
Lonetta B. Brawley  
Legal Assistant to Donald J. Zelenka  
Senior Assistant Deputy Attorney General

/lbb  
Enclosure

cc: Arthur Aiken, Esquire

**RECEIVED**

MAR 24 2014

**SC Court of Appeals**