

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Orangeburg County
Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2013-001342

THE STATE,

Respondent,

vs.

LAMONT ANTONIO SAMUEL,

Appellant.

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SC Court of Appeals

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, July 2, 2014, upon this Court's grant of Respondent's second request for an extension filed on June 4, 2014.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend since June 2, 2014. Specifically,

1. Counsel prepared the Respondent's Response in Opposition to Motion for Relief [Doc. #194] in the matter of Robert Holland Koon, #227826 vs. Colie Rushton, Warden of McCormick Correctional Institution; and Alan Wilson, Attorney General of the State of South Carolina, C/A No.: 8:05-2523-RBH on June 2, 2014;

2. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of William Antonio Gleaton, #326282 vs. Warden Dennis Bush, C/A No. 4:14-00890-TMC-TER on June 11, 2014;

3. Counsel presented oral argument on behalf of the State before the South Carolina Supreme Court in The State vs. Darian K. Robinson, Appellate Case No. 2010-172947, a direct appeal in a Greenville County murder appeal matter on June 12, 2014;

4. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Alvin Keith Brown, Jr., #302968 vs. Warden of Kirkland Correctional Institution, C/A No. 5:13-2680-RMG-KDW on June 23, 2014;

5. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Sherrod Jarvis Miller, #340737 vs. Joseph McFadden, C/A No. 5:14-1042-JMC-KDW on June 26, 2014;

6. Counsel prepared the Initial Brief of Respondent and Designation of Matter in the of The State vs. Nathaniel Bernard Beeks, a Greenville County murder appeal on Monday, June 30, 2014; and

7. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Terriel L. Mack, #312070 vs. Leroy Cartledge, C/A No. 9:14-295-TMC-BM which is currently due today, July 2, 2014.

However, due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Brief in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

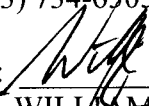
ALAN WILSON
Attorney General

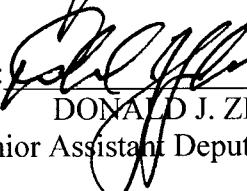
JOHN W. McINTOSH
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DONALD J. ZELENKA
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WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

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Columbia, South Carolina 29211
(803) 734-6305

By: 
WILLIAM EDGAR SALTER, III

By: 
DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

I support the finding of good cause.

ATTORNEYS FOR RESPONDENT.

July 2, 2014.

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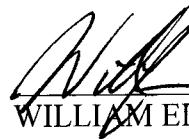
Appellant.

PROOF OF SERVICE

I, William E. Salter, III, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a third extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to his attorney of record, Robert M. Pachak, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201-3332.

I further certify that all parties required by Rule to be served have been served.

This 2nd day of July, 2014.



WILLIAM EDGAR SALTER, III
Office of the Attorney General
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Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

July 2, 2014

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

Re: *The State vs. Lamont Antonio Samuel*
Appeal from Orangeburg County
Appellate Case No. 2013-001342

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, July 2, 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 for Third Extension to File Initial Brief of Respondent and Designation of Matter. In an informing opposing counsel of my request by copy of this letter.

Sincerely,

William E. Salter, III,
Senior Assistant Attorney General

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WES:dmd
Enclosures
cc: Robert M. Pachak, Esq. (w/two copies of encls.)

JUL 02 2014

SC Court of Appeals