

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

Appeal from Orangeburg County
The Honorable Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2013-001342

THE STATE,

Respondent,

vs.

LAMONT ANTONIO SAMUEL,

Appellant.

**MOTION FOR FOURTH 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, August 1, 2014, upon this Court's grant of Respondent's third request for an extension filed on July 9, 2014.

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

1. Counsel prepared 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 on July 2, 2014;

2. Counsel travelled to Calhoun County on July 10, 2014 to review evidence in preparation for the Initial Brief in The State vs. David J. Benjamin, a Calhoun County murder appeal matter. The Initial Brief of Respondent and Designation of Matter was filed on July 21, 2014;

3. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Justin Byers, #310267 vs. Warden of McCormick Correctional Institution, C/A No. 8:14-969-DCN-JDA on July 24, 2014;

4. On July 28, 2014 counsel assisted Walt Whitmire, Assistant Attorney General in Oconee County with a Post-Conviction term of court; and

5. Counsel is currently preparing the Returns and Memoranda of Law in Support of Motions for Summary Judgment in the matters of Rontell Singletary, #338278 vs. Warden Bush, C/A No. 8:14-1764-JMC-JDA; Steven Samuel, #318276 vs. Willie Eagleton, C/A No. 2:14-666-TMC-WWD; and Cody S. Waters, #328607 vs. Dennis Bush, C/A No. 9:14-2003-MGL-BM, all federal habeas actions pending in the United States District Court for the District of South Carolina.

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

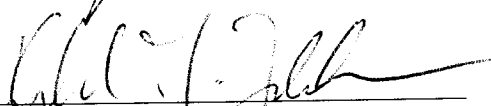
JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General
No. 4425

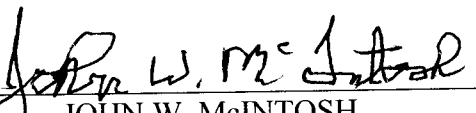
WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

Post Office Box 11549
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.

By: 
JOHN W. McINTOSH
Chief Deputy Attorney General

ATTORNEYS FOR RESPONDENT.

August 1, 2014.

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IN THE COURT OF APPEALS**

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The Honorable Diane Schafer Goodstein, Circuit Court Judge

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THE STATE,

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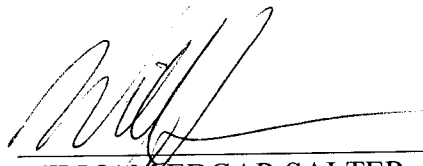
Appellant.

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 fourth 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 1st day of August, 2014.



WILLIAM EDGAR SALTER, III
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

August 1, 2014

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

RECEIVED

AUG 01 2014

SC Court of Appeals

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, August 1, 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 Fourth Extension to File Initial Brief of Respondent and Designation of Matter. I am informing opposing counsel of my request by copy of this letter.

Sincerely,

William E. Salter, III,
Senior Assistant Attorney General

WES:dmd
Enclosures

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