

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Anderson County

J. Cordell Maddox, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOHN FITZGERALD KENNEDY,

APPELLANT,

Appellate Case No. 2013-002621.

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AUG 20 2014

SC Court of Appeals

**MOTION FOR SECOND 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 on August 20, 2014. This is Respondent's second 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 for and took a telephone deposition in a capital post-conviction relief action pending in the state circuit court (*Andres Torres*); reviewed and filed in this Court two final briefs of respondent (*Tamar Bryant and William J. Phillips*); prepared and filed another return and memorandum of law in support of motion for summary judgment in a federal habeas matter

(*Jerome White*); prepared and filed another habeas return which was a previous death-penalty action and has required a substantial amount of time for document review (*James Jamal Williams*). Additionally, Counsel prepared and filed with co-counsel a response in opposition to applicant's motion to quash and for a protective order and motion for leave of court to take applicant's deposition and attended to a telephone conference in a capital post-conviction relief case currently pending in state circuit court (*Quincy Allen*).

2. Due to these circumstances undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal.

3. This is the second 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.

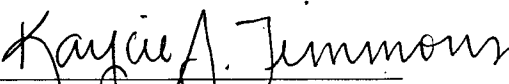
Respectfully submitted,

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
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August 20, 2014.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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J. Cordell Maddox, Circuit Court Judge

THE STATE,

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PROOF OF SERVICE

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

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

This 20th day of August, 2014.

Kaycie S. Timmons

KAYCIE S. TIMMONS

S.C. Bar No. 100237

Office of Attorney General

Post Office Box 11549

Columbia, SC 29211

(803) 734-0265

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

August 20, 2014

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

Re: The State v. John Fitzgerald Kennedy
Appeal from Anderson County
Appellate Case No. 2013-002621

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondent's Motion for Second Extension of Time to File the Initial Brief of Respondent and Designation of Matter, dated August 20, 2014, 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. Pachak, Appellate Defender

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