

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

Appeal from Abbeville County
Alexander S. Macaulay, Circuit Court Judge

Case No. 2000-CP-01-21
Appellate Case No. 2010-170387

JOHN KENNEDY HUGHEY,

Respondent/Petitioner

v.

STATE OF SOUTH CAROLINA,

Petitioner/Respondent

**MOTION TO EXTEND TIME TO FILE BRIEF OF RESPONDENT
OF PETITIONER/RESPONDENT STATE OF SOUTH CAROLINA FOR ONE WEEK
AND ALLWANCE OF A BRIEF OF RESPONDENT OF 100 PAGES**

J. J. J.
The State or South Carolina, as Petitioner-Respondent in the above-entitled action, hereby makes a third motion to extend the time to filed the Brief of Respondent of Petitioner-Respondent presently due on September 15, 2014 for a period of seven days up to and including September 22, 2014. This is the third extension request in this matter and Respondent submit that sufficient cause is shown. As stated herein, Respondent's counsel is working on the Brief of Respondent but it has not been completed. The present draft consists of over 126 pages. It is in response Mr. Hughey's 82 page brief raising numerous specifications. The below-signed counsel has been advised by opposing counsel E. Charles Grose,

Jr., and Tara S. Waters this date by email that they have no objection to this request. Respondent submits the following shows additional cause:

I.

Counsel for Respondent has filed a prioritized initial brief of Respondent in State v. Thomas Stewart on a fifth extension on August 22, 2014. Respondent below signed counsel has been working on an initial brief of respondent in State v. Antonio Gordon due on September 20, 2014 and an Initial Brief of Respondent in State v. Frank Singleton due on September 24, 2014. Counsel had a status conference before Judge Keesley in Ron Finklea v. State on August 25; filed a federal habeas Return in Terry Smalley v. Warden on August 27, 2014; filed a Return to Certiorari in the South Carolina Supreme Court in Jamaal Hinson v. State on August 29, 2014. Below-signed counsel was also present at arguments by supervised counsel during the week of September 8 in the Court of Appeals in three matters. Counsel also was present a hearing in Richland County before Judge Benjamin on September 8, 2014 concerning a suit against the Office of the Attorney General.

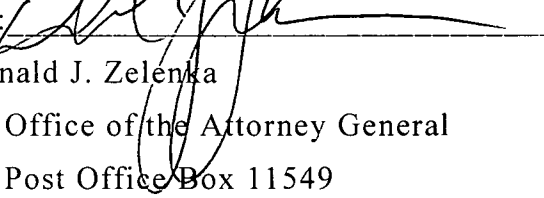
The Respondent has a Return to Certiorari in the death penalty PCR appeal of Charles Williams v. State due on September 22; a federal habeas return in Jonathan Carter v. State on September 19; a federal habeas return in Islam Dann v. Warden due on September 19.

II.

Respondent advises this Court that the Brief of Respondent is the highest priority. No action will be done on other pending matters until this Brief is filed.

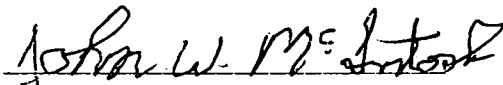
Wherefore Respondents respectfully request an extension of a period of seven days up to and including September 22, 2014 to complete this Brief of Respondent and allowance of up to 100 pages.

Respectfully submitted,
DONALD J. ZELENKA
Senior Assistant Deputy Attorney General
S.C. Bar #5758
ATTORNEYS FOR RESPONDENT

By: 
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September 15, 2014

I submit that good cause or extraordinary circumstances have been shown.


John W. McIntosh
Chief Deputy Attorney General

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Honorable Alexander S. Macaulay

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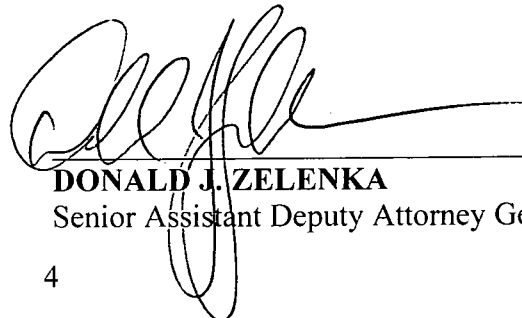
CERTIFICATE OF SERVICE

I, Donald J. Zelenka, hereby certify that I have served the MOTION TO EXTEND TIME TO FILE BRIEF OF RESPONDENT OF PETITIONER/RESPONDENT STATE OF SOUTH CAROLINA Petitioner/Respondent's Motion to Enlarge Time for Filing Petition for Writ of Certiorari and Appendix on:

E. Charles Grose, Jr., Esquire
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646

Tara Schultz Waters, Esquire
Waters Law Firm, LLC
120 S. Magnolia Street
Summerville, SC 29483

by depositing copies depositing copies in the United States mail; postage prepaid, this 15th day of September 2014.



DONALD J. ZELENKA
Senior Assistant Deputy Attorney General