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SEP 15 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Honorable R. Knox McMahon, Circuit Court Judge
Appellate Case Tracking No. 2012-212947

The State,

Respondent,

vs.

Zinah D. Jennings,

Appellant.

**MOTION FOR FOURTH EXTENSION TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed September 15, 2014.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has completed several initial briefs including State v. Patterson, State v. Moon, State v. Robinson, State v. Roseboro, and State v. Lorusso. In addition, counsel has completed Returns to Petition for Writ of Certiorari in State v. Palmer, State v. Vice, State v. Gorman, and State v. Wright. The undersigned has completed other filings

including a Brief of Respondent to the Supreme Court in State v. Samuel during the last few weeks. Additionally, the undersigned participated in oral argument in State v. S. Cardwell and State v. M. Cardwell and is preparing for oral argument in the Supreme Court in State v. Epting. The undersigned has been out of the office several days with illness, which has impacted the ability to complete the Brief. In addition, the undersigned has prepared materials for the annual Solicitor's Conference later in September. Finally, the undersigned has spent significant hours investigating spurious and frivolous claims lodged by Appellant regarding alleged improper contact with State employees while incarcerated.

III.

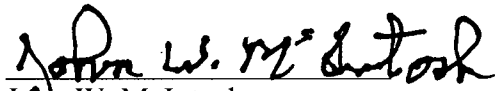
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. This Brief will be the next completed by the undersigned and will be completed in a timely manner absent further extraordinary circumstances. I would therefore request a fourth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

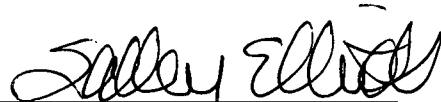
Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



John W. McIntosh
Chief Deputy Attorney General



Salley W. Elliott
Senior Assistant Deputy Attorney General



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ATTORNEYS FOR RESPONDENT

September 15, 2014

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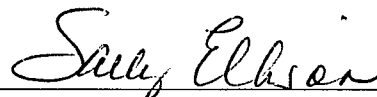
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Fourth Extension to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

David Alexander, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

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

This 15th day of September, 2014.



SALLY ELLISON

Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

September 15, 2014

VIA HAND DELIVERY

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

Re: State v. Zinah Jennings
Appellate Case Tracking No. 2012-212947

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion for Fourth Extension to Serve and File Initial Brief of Respondent and Designation of Matter along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: David Alexander, Esquire
Victim Services

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