

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County  
John C. Hayes, III, Circuit Court Judge

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Appellate Case No. 2013-000975

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**RECEIVED**

SEP 19 2014

**SC Court of Appeals**

THE STATE,

Respondent,

v.

ANTONIO GORDON,

Appellant

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**RESPONDENT'S MOTION TO EXTEND FILING OF  
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

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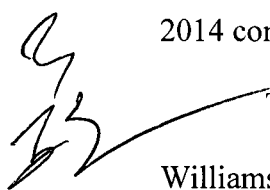
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#1

The Respondent, above-named, hereby makes a final motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from September 19, 2014 to October 20, 2014. This fifth request is due to other business personal events in state and federal court. The Appellant, acting pro se, is being advised of this extension by service of this motion.

I.

Counsel for Respondent has also been working on drafts of the prioritized Brief of Respondent in John K Hughey v. State in the death penalty PCR appeal which is due (and required) to be filed on September 22, 2014 as the highest priority. This brief is presently over 100 pages and involves extensive testimony and records. Since the last request, counsel has filed

the brief on State v. Thomas Stewart on a August 22, 2014; working on an initial brief of respondent in State v. Antonio Gordon due on September 20, 2014 and to be requested an extension to October 30, 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; filed a Return in the federal habeas matter of Jonathan Carter v. State on September 19. 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 which is also being extended..

In the next month, below-signed counsel is responsible, in addition to the Respondent's Brief of Respondent on certiorari in the death penalty appeal in John K. Hughey v. State on September 22, 2014; the initial brief of respondent in State v. Antonio Gordon (4<sup>th</sup>) due September 19 sought to be extended to October 19, 2014; a death penalty PCR appeal Return to Certiorari in Charles Williams v. State due on September 22, 2014; an initial brief of respondent in State v. Frank Singleton due on August 25, 2014;

## II.

Counsel has established the following highest priorities:

1. Death Penalty PCR appellate Brief of Respondent - John K. Hughey v. State  
due on September 22, 2014
2. Death penalty PCR appeal Return to Certiorari in Charles Williams v. State  
projected due on September 22, 2014.
3. State v. Antonio Gordon – initial Brief of Respondent projected due on  
October 20, 2014

II.

Wherefore Respondents respectfully request an extension of a period of thirty days up to and including October 20, 2014 to complete this Initial Brief of Respondent.

Respectfully submitted,

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

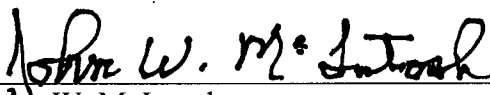
**ATTORNEYS FOR RESPONDENT**

By: 

Donald J. Zelenka  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
SC Bar # 5758  
803-734-6305

September 19, 2014

I concur that extraordinary circumstances have been shown to this request.

  
\_\_\_\_\_  
John W. McIntosh  
Chief Deputy Attorney General

STATE OF SOUTH CAROLINA  
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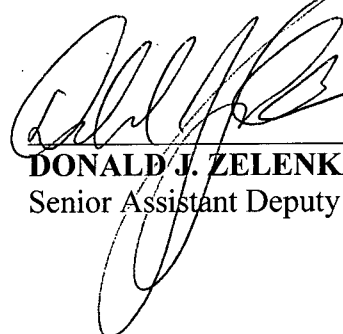
CERTIFICATE OF SERVICE

*I, Donald J. Zelenka*, hereby certify that I have served Respondents **Motion to Enlarge**

**Time for Filing Initial Brief of Respondent on:**

Antonio Gordon, #259798  
Allendale Correctional Institution  
P.O. Box 1151  
Fairfax, S.C. 29827

by depositing a copy in the Mail with sufficient postage this 19<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
**DONALD J. ZELENKA**  
Senior Assistant Deputy Attorney General



ALAN WILSON  
ATTORNEY GENERAL

**RECEIVED**

SEP 19 2014

**SC Court of Appeals**

September 19, 2014

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

Re: The State v. Antonio Gordon  
Appellate Case No. 2013-000975

Dear Ms. Kitchings:

Enclosed please find a Motion to Enlarge Time for Filing Initial Brief of Respondent and Designation of Matter in the above-captioned matter for filing in your office. By copy of this letter, I am serving Appellant with same.

Sincerely,

Lonetta B. Brawley  
Legal Assistant to Donald J. Zelenka  
Senior Assistant Deputy Attorney General

/lbb  
Enclosure

cc: Antonio Gordon, #259798