

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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FEB 02 2015

Appeal from Charleston County  
Roger M. Young, Circuit Court Judge

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**SC Court of Appeals**

The State of South Carolina,

Respondent,

v.

Tyrel R. Collins,

Appellant,

Appellate Case No.: 2014-000216.

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**MOTION FOR SECOND EXTENSION OF TIME TO FILE  
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

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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. 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 and filed a reply to response in opposition to motion for summary judgment in a federal habeas action (*Jovan McRant*); prepared and filed objections to a report and recommendation in a federal habeas action (*Artie Burns*); filed a return and memorandum of law in support of motion for summary judgment in another federal habeas action, along with a response in opposition to a motion to expand the record and a separate response in opposition to a motion for an evidentiary hearing (*Kenneth Huckabee*); presented oral argument in a non-capital murder direct appeal in Supreme Court of South Carolina (*Danny Ryant*); prepared and filed a reply to objections to

and recommendation in another federal habeas action (*Miguel Ramirez*); filed returns and memoranda of law in support of motion for summary judgment in three (3) federal habeas (*Walter Morgan; Richard Simmons; Jonothan Vick*); prepared and filed a reply to response in opposition to motion for summary judgment in another habeas action (*Alberto Lopez*); prepared and filed a response in opposition to motion to amend in another habeas action (*Daniel Brown*); submitted additional discovery in another capital case currently pending the completion of the evidentiary hearing (*Quincy Allen*); reviewed a motion for hearing on a pre-trial matter and prepared and filed a response for the hearing set for today, February 2, 2015, in Conway, South Carolina, in another capital case in post-conviction relief (*William Dickerson*); prepared and a motion to seal or strike initial brief; to strike portion of designation of matter; and, for an order disallowing reference to certain privileged documents in another capital case on direct appeal (*Ricky Lee Blackwell*); prepared and filed a response in opposition to a motion for an evidentiary hearing and for counsel in another federal habeas action (*Alberto Lopez*); and prepared and filed response in opposition for discovery in another federal habeas action (*Warren Russell*). Counsel has also reviewed an order denying post-conviction relief and a motion to alter or amend in another capital case in post-conviction relief (*Steven Bixby*); and is also preparing for completion of evidentiary hearings in two capital cases, including witness preparation, a deposition, and additional discovery (*Quincy Allen; Andres Torres*).

2. Due to her heavy case load, particularly the above listed capital cases, which require substantial time in preparation, undersigned counsel has not been able to complete a proper responsive pleading in the instant action.

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.

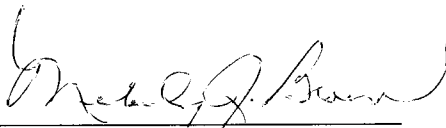
Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Attorney General

BY:   
\_\_\_\_\_  
MELODY J. BROWN  
S.C. Bar No. 14244

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

February 2, 2015.  
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
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The State of South Carolina,

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Appellant,

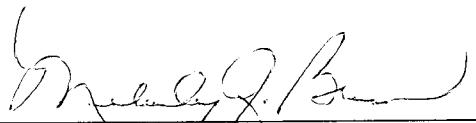
Appellate Case No.: 2014-000216.

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**PROOF OF SERVICE**  
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I, Melody J. Brown, 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:

Susan B. Hackett, Appellate Defender  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

This 2<sup>nd</sup> day of February, 2015.

  
\_\_\_\_\_  
MELODY J. BROWN  
S.C. Bar No. 14244

Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

February 2, 2015

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**SC Court of Appeals**

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

Re: The State v. Tyrel R. Collins  
Appeal from Charleston County  
Appellate Case No. 2014-000216

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondent's Motion for Second Extension of Time to file Initial Brief of Respondent and Designation of Matter, dated today, 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,

Melody J. Brown  
Senior Assistant Attorney General

MJB/mv  
Enclosures

cc: Susan B. Hackett, Appellate Defender