

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Newberry County

R. Knox McMahon, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

FEB 04 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MANDY LENORE SMITH,

APPELLANT,

Appellate Case No.: 2013-002209.  
\_\_\_\_\_

**MOTION FOR FOURTH 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 February 4, 2015. This is Respondent's fourth and final 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: reviewed and prepared a return and memorandum of law in support of motion for summary judgment in another habeas action (*Randall Smith*); prepared and filed two (2) other returns and

memoranda of law in support of motion for summary judgment in two (2) other federal habeas actions (*Horace Abney, Jr. and Travis Parker*); and, prepared for and presented oral argument in the South Carolina Court of Appeals on three (3) non-capital murder direct appeals (*Rajerick Knight, Ron Santa McCray, and Brenda Bratschi*).

2. Counsel has reviewed the file and transcript and has completed an initial draft of the brief. However, Counsel will need to consult with the Solicitor's Office regarding one of the issues in the appeal.

3. This is the fourth and final request for an extension of time in which to file the initial brief of respondent.

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.

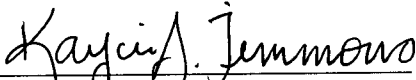
Respectfully submitted,

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

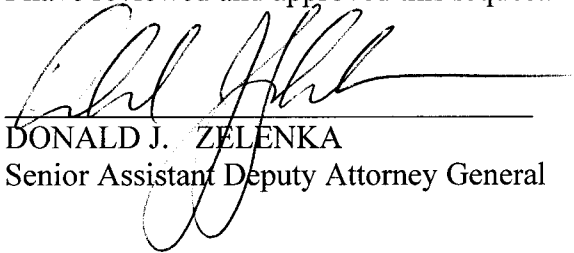
BY:   
KAYCIE S. TIMMONS  
S.C. Bar No. 100237

Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-0265

February 4, 2015.  
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this request.



DONALD J. ZELENSKA  
Senior Assistant Deputy Attorney General

I have reviewed and approved this request.



JOHN W. McINTOSH  
Chief Deputy Attorney General

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IN THE COURT OF APPEALS

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Appeal from Newberry County

R. Knox McMahon, Circuit Court Judge

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

MANDY LENORE SMITH,

APPELLANT,


Appellate Case No.: 2012-002209.

**PROOF OF SERVICE**

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

Carmen V. Ganjehsani, Appellate Defender  
SCCID/Division of Appellate Defense  
P.O. Box 11589  
Columbia, South Carolina 29211-1589

This 4<sup>th</sup> day of February, 2015.

  
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

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FEB 04 2015

SC Court of Appeals

February 4, 2015

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

Re: The State v. Mandy Lenore Smith  
Appeal from Newberry County  
Appellate Case No. 2013-002209

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondent's Motion for Fourth Extension of Time to file the 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,

Kaycie S. Timmons  
Assistant Attorney General

KST/mv

cc: Carmen Ganjehsani, Appellate Defender