

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

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**RECEIVED**

MAR 04 2015

**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 THIRD 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 third 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: filed returns and memoranda of law in support of motion for summary judgment in four (4) federal habeas actions (*Steven Whitt; Antonio Hair; Daniel Brown; Warren Russell*); prepared and filed a response in opposition to motion for summary judgment in one of the listed federal habeas cases (*Daniel Brown*); prepared and filed a reply to response in opposition to the State's 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 a capital case on direct appeal in the Supreme Court of South Carolina (*Ricky Lee Blackwell*); also prepared and filed a subsequent motion for access

sealed order relied upon in appellant's return to the state's motion in the same capital case (*Ricky Lee Blackwell*); prepared and filed a response in opposition to motion for discovery in another federal habeas action (*Warren Russell*); prepared and filed a response to motion for extension of time as ordered by the District Court in another federal habeas action (*Troy Zeigler*); prepared and filed a reply to response in opposition to motion for summary judgment in another federal habeas action (*John Mills*); reviewed and filed a final brief of respondent in a non-capital murder direct appeal in this Court (*Marcus Bailey*); prepared and filed a reply in a capital matter in the original jurisdiction of the Supreme Court of South Carolina (*Steven Barnes*); prepared and filed orders from a February 2, 2015 hearing in Conway, SC, in a capital post-conviction relief action (*William Dickerson*); prepared and filed in the Supreme Court of South Carolina, two returns to separate petitions for writ of certiorari in two non-capital murder direct appeals (*Alexander Hunsberger*; *Julio Hunsberger*); prepared and filed a reply to motion for stay and memorandum opposition to State's motion to dismiss, and prepared for and attended a February 12, 2015 in Charleston, SC, on pending motions in another capital case where applicant is seeking a successive PCR action (*Brad Sigmon*); prepared and filed a return and motion to stay in a post-conviction relief action regarding issues from a prior capital trial (*Steven Louis Barnes*); prepared and filed a return to the motion to alter or amend at the request of the PCR judge in another capital post-conviction relief action (*Steven Bixby*); and, is also preparing for completion of an evidentiary hearing for a capital case scheduled to begin again on March 30, 2015 (*Quincy Allen*).

2. Due to her heavy case load, undersigned counsel has not been able to complete an initial brief of respondent and a designation of matter. However, counsel has completed her

review of the transcript and the brief of appellant, obtained and reviewed trial court documents, and has started drafting the brief.

3. This is the third request for an extension of time in which to file a response. Undersigned counsel will work diligently to complete the brief within the time requested.

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.

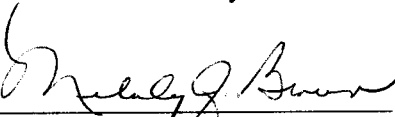
Respectfully submitted,

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

March 4, 2015.  
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this request:

  
DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

STATE OF SOUTH CAROLINA  
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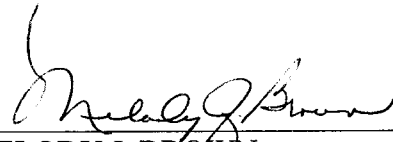
Appellate Case No.: 2014-000216.

**PROOF OF SERVICE**

I, Melody J. Brown, certify that I have served Respondent's Motion for a Third Extension of Time on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to his counsel of record, 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 4<sup>th</sup> day of March, 2015.



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

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

ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

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**SC Court of Appeals**

March 4, 2015

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 Third 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.

Sincerely,

Melody J. Brown  
Senior Assistant Attorney General

MJB/mv  
Enclosures

cc: Susan B. Hackett, Appellate Defender