

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Charleston County
J. C. Buddy Nicholson, Jr., Circuit Court Judge

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APR 08 2016

SC Court of Appeals

The State of South Carolina,

Respondent,

v.

Torren Marquize Eady,

Appellant,

Appellate Case No.: 2014-000375.

**MOTION FOR THIRD 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. 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: prepared and filed returns and memoranda of law in support of motion for summary judgment in five (5) federal habeas actions in the United States District Court (*Tyrone Patrick; Larry Casey; Cedric Kearse; Isaac Walker; William Childers*); prepared and filed an amended return with supplemental section on an additional ground in another federal habeas action at the direction of the District Court (*Antonio Boykin*); prepared and submitted a proposed order at the PCR judge's direction on motions heard at a February 12, 2015 hearing in a capital case where applicant is seeking a successive PCR action (*Brad Sigmon*); prepared and filed a response in opposition to

motions for discovery, an evidentiary hearing and for appointment of counsel in another habeas action (*Warren Russell*); prepared and filed a response in opposition to a motion to amend at the direction of the magistrate judge in another federal habeas action (*James Lawton*); prepared and filed another response in opposition to motion to amend in another federal habeas action (*Miguel Ramirez*); completed and filed, in this Court, an initial brief of appellant in a non-capital murder direct appeal (*Tyrel Collins*); and, prepared for and presented argument in the Supreme Court of South Carolina, on this date, in another capital matter (*Steven Barnes*). In addition, counsel prepared for and attended a deposition held in Charlotte, NC, on March 26, 2015, in an ongoing capital post-conviction appeal matter (*Andres Torres*), and prepared for cross-examination and participated in two days of an evidentiary hearing in another capital post-conviction relief action on March 30, 2015 and April 1, 2015, scheduled to continue on April 10, 2015 (*Quincy Allen*). Counsel has also been reviewing a petition for rehearing from denial of certiorari in the Supreme Court of South Carolina in another capital case in post-conviction relief (*Stephen Corey Bryant*).

2. Due to her heavy case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal.

3. This is the third request for an extension of time in which to file a response.

WHEREFORE, 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,

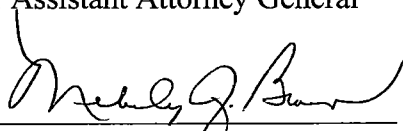
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

MELODY J. BROWN
Senior Assistant Attorney General

BY:



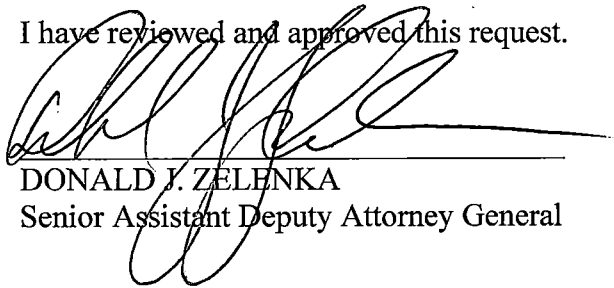
MELODY J. BROWN
S.C. Bar No. 14244

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

April 8, 2015.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this request.



DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

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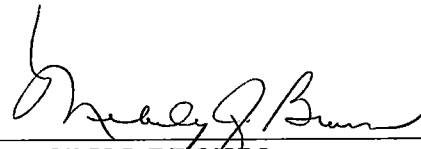
Appellate Case No.: 2014-000375.

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 counsel for appellant, addressed as follows:

Robert M. Dudek, Esq.
Chief Appellate Defender
SCCID/Division of Appellate Defense
PO Box 11589
Columbia, SC 29211

This 8th day of April, 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



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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

April 8, 2015

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

Re: The State v. Torren M. Eady
Appeal from Charleston County
Appellate Case No. 2014-000375

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 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: Robert M. Dudek, Esq., Chief Appellate Defender