

STATE OF SOUTH CAROLINA
In the Supreme Court

CAPITAL CASE
Appeal from Spartanburg County
Roger L. Couch, Circuit Court Judge

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JUL 20 2015

S.C. Supreme Court

The State of South Carolina,

Respondent,

v.

Ricky Lee Blackwell,

Appellant,

Appellate Case No.: 2014-000610.

**MOTION FOR SECOND 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 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 returns and memoranda of law in support of motion for summary judgment in six (6) federal habeas actions in the U.S. District Court (*Louis Sheppard; Kenneth Lovette Young; Jamar Belk; Robert Foster; Boyce Nesbitt; and Roshod Baker*); prepared and filed a reply to response in opposition, a motion to amend, and a motion to supplement the return, in another federal habeas action (*Robert Bostic*); prepared and filed a response in opposition to motion to appoint counsel and for evidentiary hearing in another habeas matter (*Warren Russell*);

prepared and filed a response in opposition to motion for discovery in another habeas matter (*Wilbur Moses, Jr.*); prepared and filed a formal response to a motion to prevent consideration of the State's position that Applicant's request for full funding was premature in a barred successive and untimely PCR action (*Brad Sigmon*); prepared and filed a return to motion for stay of execution and appointment of counsel in another capital case pending the filing of a habeas petition, and, pursuant to the June 24, 2015 Order of the U. S. District Court directing Respondent in that case to file the state court record within thirty (30) days, reviewed files from various actions, obtained records from this Court, filed the file stamped copies of certain records and a copy of a disc exhibit in the District Court in Charleston, and provided hard copies of electronically filed records for both judges as directed (*Stephen Corey Bryant*). Counsel also completed and filed a motion for summary judgment with a volume of attachments in a successive PCR action in one of the above listed capital cases (*Brad Sigmon*); reviewed and filed in the South Carolina Court of Appeals, a final brief of respondent in a non-capital murder direct appeal action (*Torren Eady*); prepared for and participated in the continuation of a capital post-conviction relief evidentiary hearing held in Spartanburg, SC, on June 30, 2015 (*Andres Torres*); and, prepared and filed a petition for rehearing in another capital case in this Court (*Steven Barnes*). In addition, counsel for Respondent has also prepared for printing and filing today in this Court, a Brief of Respondent in another murder direct appeal, (*Julio Hunsberger*), and is currently working on completion of another Brief of Respondent also to be printed and filed (*Alexander Hunsberger*). Further still, counsel has been in the process of reviewing a transcript for completion of an initial brief of respondent in another murder direct appeal, currently on a third extension in the South Carolina Court of Appeals (*Sandy Locklair*), and reviewing filings in another capital case with a successive PCR action pending (*Jesse Sapp*).

2. Due to her case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal. However, counsel has been reviewing the transcripts and researching the issues in order to complete the brief. Counsel will continue to work diligently to complete the brief for filing.

3. This is the second 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.

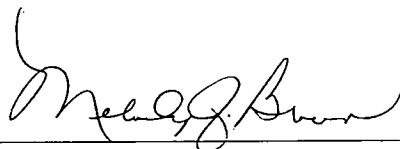
Respectfully submitted,

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

July 20, 2015.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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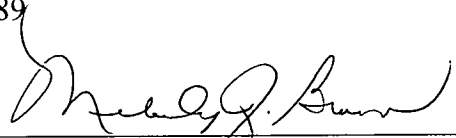
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PROOF OF SERVICE

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:

Robert M. Dudek, Chief Appellate Defender
David Alexander, Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 20th day of July, 2015.



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

ATTORNEY FOR RESPONDENT