

STATE OF SOUTH CAROLINA
In the Supreme Court

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AUG 19 2015

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

S.C. Supreme Court

The State of South Carolina,

Respondent,

v.

Ricky Lee Blackwell,

Appellant,

Appellate Case No.: 2014-000610.

**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 six (6) federal habeas actions (*Brandon Johnson; Kenyal Rodgers; Nathan Luckett; Thompson White; Raymond Edmonds; Ronald Cameron*); prepared and filed a response in opposition to motion for summary judgment in another habeas matter (*Wilbur Moses, Jr.*); reviewed filings in a capital case with a successive PCR action pending (*Jesse Sapp*); completed and filed an initial

brief of respondent in another murder direct appeal (*Sandy Locklear*); prepared and filed a reply to exceptions, with copy of a transcript, in another capital case in post-conviction relief pending in the circuit court (*William Dickerson*); and, completed and submitted, with co-counsel, a proposed order of dismissal in another capital case in post-conviction relief (*Quincy Allen*). Further still, counsel prepared and presented oral argument on the State's motion for summary judgment in Charleston, SC, on Wednesday, August 12, 2015, in a successive PCR action in another capital case (the federal habeas action for his same death-sentenced inmate is currently stayed pending disposition of the state matter) (*Brad Sigmon*).

2. Due to her heavy case load, particularly the above listed capital cases which require substantial time in preparation of responsive documents, undersigned counsel has not been able to complete the initial brief in this appeal. However, counsel has made substantial progress in completing the brief process and will continue to work diligently to complete the brief for filing.

3. This is the third request for an extension of time in which to file a response. This request is not made for simple delay but from necessity for the above listed reasons.

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.

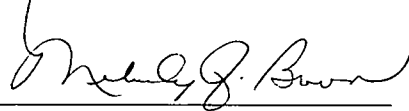
Respectfully submitted,

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

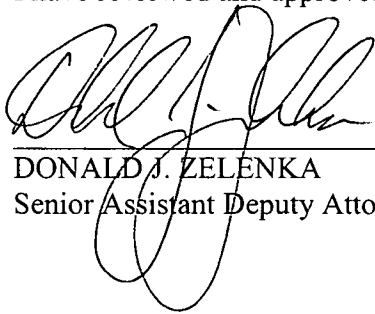
BY: 
MELODY J. BROWN
S.C. Bar No. 14244

August 19, 2015.
Columbia, South Carolina.

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

ATTORNEYS FOR RESPONDENT

I have reviewed and approved this request.


DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

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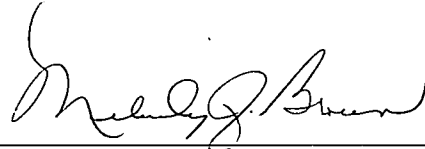
Appellate Case No.: 2014-000610.

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, 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 19th day of August, 2015.



MELODY J. BROWN
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ATTORNEY FOR RESPONDENT