

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Greenville County
The Honorable Edward W. Miller, Circuit Court Judge
Appellate Case No. 2011-186367

The State of South Carolina,

v.

Robert Mondriques Jones,

Respondent,

Appellant.

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SEP 20 2012

SC Court of Appeals

MOTION FOR EXTENSION TO FILE
INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, September 20, 2012, upon this Court's grant of Respondent's first request for an extension filed on August 20, 2012.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since August 21, 2012. This motion is made because the Respondent has not been able to respond within the allotted time for the following reasons:

1. Counsel filed a return to a petition for writ of certiorari in a non-capital murder appeal (*Jake Antonio Wilson*); completed and filed a return and memorandum of law in support of motion for summary judgment in a federal habeas action (*Ralph Leon Bailey, Jr.*); completed and filed a

return and memorandum of law in support of motion for summary judgment in a federal habeas action (*Mikal J. Ruffin*); and counsel also attended a hearing in the matter of (*Levon Mintz*) before the U.S. District Court, Columbia Division on September 12, 2012. Counsel is out of the country on a planned vacation and is scheduled to return to the office on September 24, 2012. Due to undersigned counsel's involvement in other matters pending in state and federal court, counsel was unable to timely complete the brief. This request is made in good faith, and not for the purposes of delay; and

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file 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

BRENDAN J. McDONALD
Assistant Attorney General

W. WALTER WILKINS, III
Solicitor, Thirteenth Judicial Circuit

BY: 
DONALD J. ZELENKA,
On behalf of BRENDAN J. McDONALD

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September 20, 2012.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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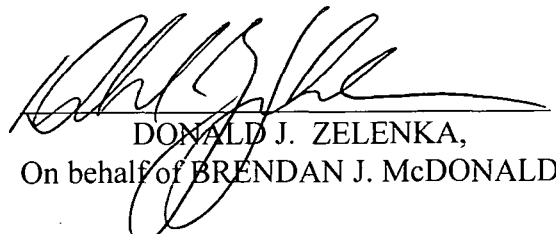
Appellant.

PROOF OF SERVICE

I, Brendan J. McDonald, certify that I have served Respondent's Motion to File Out of Time First Extension of Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

Kathrine H. Hudgins, Esq.
SCCID/Division of Appellate Defense
1330 Lady St., Ste. #401
Columbia, SC 29201-3332

This 20th day of September, 2012.



DONALD J. ZELENKA,
On behalf of BRENDAN J. McDONALD

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ATTORNEY FOR RESPONDENT