

STATE OF SOUTH CAROLINA
In the Court of Appeals

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APR 06 2016

Appeal from Calhoun County
Maité Murphy, Circuit Court Judge

SC Court of Appeals

The State of South Carolina,

Respondent,

v.

Jerry McKnight, Sr.,

Appellant,

Appellate Case No.: 2015-000559.

**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 completed the following work within the past thirty (30) days: completed and filed a response in opposition to motion to file sealed supplemental record on appeal I in a capital case that is on direct appeal in the Supreme Court of South Carolina (*Ricky Blackwell*); prepared and filed a return to petition for writ of certiorari in the Supreme Court of South Carolina in a non-capital murder direct appeal (*Don Survi-Chislom*); prepared and filed a reply in another capital case on petition for writ of certiorari in the Supreme

Court of the United States (*Kamell Evans*); prepared and filed returns and memorandum in support of motions for summary judgment in two federal habeas actions previously on extension (*Ila Michelle Carter; Joseph Dozier*); prepared and filed a response in opposition to motion to stay in another federal habeas action (*Chad Everette Williams*); and, prepared and filed a response to motion for attorney fees in another federal habeas action (*Jomer Hill*). Additionally, counsel prepared for and participated in an evidentiary hearing held March 31, 2016, in another capital PCR case (including but not limited to interviewing witnesses, prepared for and participated in scheduling/status conference, prepared and coordinated with SCDC on order of transportation of death sentenced inmate, and exhibit preparation) (*William O. Dickerson*); and, is currently reviewing transcripts, case law and working on a brief of respondent in a non-capital murder direct appeal pending in this Court already on fourth extension (*Hank Hawes*); preparing for oral argument in another capital case to be heard on April 13, 2016 in the Supreme Court of South Carolina in the direct appeal (*Ricky Blackwell*); preparing a response to motion to alter or amend judgment in another federal habeas action (*Tyrone Patrick*); and, is also preparing for the final portion of the evidentiary hearing in the *Dickerson* capital PCR which is scheduled for May 12th and 13th to be held in Charleston, SC.

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 and would request the additional time in order to do so.

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,

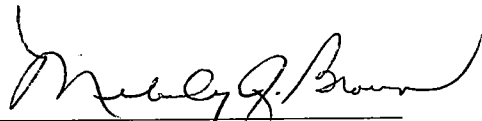
ALAN WILSON
Attorney General

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

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Columbia, South Carolina 29211
(803) 734-6305

April 6, 2016.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA
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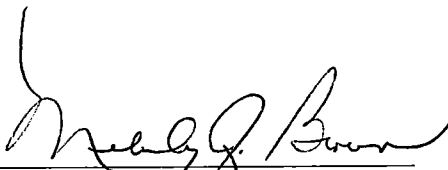
I, Melody J. Brown, Senior Assistant Attorney General, certify that I have served Respondent's Motion for a Second Extension of Time on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

Howard W. Anderson, III, Esquire
Law Office of Howard W. Anderson, III, LLC
Post Office Box 661
Pendleton, SC 29670

Robert M. Dudek, Esquire
Chief Appellate Defender
SC Commission on Indigent Defense
Office of Appellate Defense
Post Office Box 11589
Columbia, SC 29211-1589

This 6th day of April, 2016.

BY:



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

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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

April 6, 2016

Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: The State v. Jerry McKnight, Sr.
Appeal from Calhoun County
Appellate Case No. 2015-000559

Dear Ms. Kitchings,

Enclosed please find the original and one (1) copy of Respondent's Motion for Second Extension of Time to file the Initial Brief of Respondent and Designation of Matter, dated April 6, 2016, together with a Proof of Service in the above-referenced matter.

Thank you for your assistance in this matter. Please call this office if you need any additional information.

Sincerely,

Melody J. Brown
Senior Assistant Attorney General

MJB/pc

cc: Howard W. Anderson, III, Esquire
Robert M. Dudek, Chief Appellate Defender