

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenwood County  
Honorable Frank R. Addy, Jr., Circuit Court Judge

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**RECEIVED**

APR 27 2016

Respondent  
SC Court of Appeals

THE STATE,

v.

TAVARIOUS SETTLES,

Appellant

Appellate Case No. 2015-000980.

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

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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 within the past thirty (30) days ordered an additional transcript believed necessary for completion of the initial brief of respondent in this matter. The time for transcription has not yet passed. SCACR 607(d).

2. 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 (4) four federal habeas actions (*Ethan Mack,*

*Eric Marsh, Randy Yonson, and Willie James Poole*); prepared and filed an initial brief of respondent in one (1) non-capital murder appeal before this Court (*State v. Thomas Booker James*); prepared and filed replies or responses in opposition in four (4) other federal habeas actions (*Jason Jumper, Kenneth Sherman, Benjamin Nabors, and Christopher Woody*); reviewed and filed a final brief of respondent in one non-capital murder direct appeal before this Court (*State v. Odom Bryant*); and prepared for and presented oral argument before this Court in a non-capital murder direct appeal (*State v. William Anthony Wallace*). Undersigned counsel also prepared for and appeared in a capital post-conviction relief hearing taking place March 31, 2016, in the Circuit Court of South Carolina (*William Dickerson*).

2. Due to her case load and outstanding transcript request, 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.

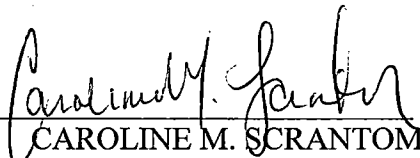
Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

CAROLINE M. SCRANTOM  
Assistant Attorney General

BY:   
CAROLINE M. SCRANTOM  
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Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

April 27, 2016  
Columbia, South Carolina

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenwood County  
Honorable Frank R. Addy, Jr., Circuit Court Judge

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**PROOF OF SERVICE**

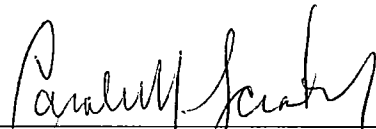
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I, Caroline M. Scrantom, certify that I have served Respondent's Motion for a Second Extension of Time on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

John W. Roberts  
Willoughby & Hoefler, P.A.  
P.O. Box 8416  
Columbia, SC 29202-8416

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 27th day of April, 2016

  
CAROLINE M. SCRANTOM  
S.C. Bar No. 101357  
Office of Attorney General  
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Columbia, SC 29211  
(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

April 27, 2016

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SC Court of Appeals

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

Re: The State v. Tavarious Settles  
Appeal from Greenwood County  
Appellate Case No. 2015-000980

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 today, 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,

Pamela Cooper  
Legal Assistant to Caroline M. Scrantom  
Assistant Attorney General

CMS/pc

cc: John W. Roberts, Esquire  
Robert M. Dudek, Esquire, Chief Appellate Defender