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SC SUPREME COURT

**STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

**Appeal from Horry County
Larry B. Hyman, Circuit Court Judge**

STATE OF SOUTH CAROLINA,

Respondent,

v.

LUZINSKI ALLEN COTTRELL,

Appellant

Appellate Case No. 2015-000731

**RESPONDENT'S MOTION TO EXTEND TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

The Respondent, above-named, hereby make a second motion to the Court to extend the time of filing the Initial Brief of Respondent and Designation of Matter until June 3, 2016. The Initial Brief of Respondent in the above action is due to be filed May 4, 2016. Counsel has contacted the Appellant's counsel, Robert M. Dudek, who had advised counsel this date that he has no objections to the second request.

Respondent's below-signed counsel submits that there is good cause for this extension due to below-signed counsel's intervening cases in both state and federal court, including :

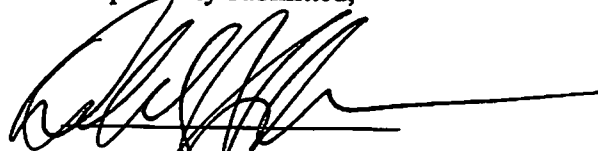
1. April 4, 2016 – State v. Tony Jordan - Initial Brief of Respondent – filed 4/11/2016.
2. April 6, 2016 – John Wood v. Warden - death penalty federal habeas – Status Report to Federal Court filed April 6.
3. April 6, 2016 – State v. Earnest Daise – Final Amended Brief of Respondent. fFILED

4. April 11 - Jeremy DuRant v Warden - Response to Motion to Alter- April 11 = COURT ORDERED - JUDGE LEWIS.- FILED 4/11/2016
5. April 13 - Louis Winkler v. State - DP PCR Appeal - Oral Argument - South Carolina Supreme Court Simon - 9:30 am – assisted and attended
6. Marshall MILLER v/. Warden - Response to Motion and Appointment of Counsel - April 14
7. April 18-19, 2016 – William Bell v. State – Death penalty PCR hearing – Judge McIntosh – Anderson County.
8. April 22 2016 – State v. Kevin Choice – IBOR – filed April 22, 2016
9. Mar 2, 2016 - Andrea Person v. Warden - Reply to Response in Opposition to Summary Judgment
10. May 3, 2016 – Charles Williams v. Warden - Death Penalty – Response to Motion to Stay Execution and Appointment of Counsel – filed.
11. May 4, 2016 State v. Luzinski COTTRELL - IBOR (Due April 4, 2016) –working on it with Anthony Mabry
12. May 6, 2016 - John James BELL v. State - Brief of Respondent - DNA APPEAL - per court order – preparing brief.

III.

Wherefore Respondents respectfully request an extension of a period of thirty (30) days up to and including June 3, 2016 to complete the Initial Brief of Respondent upon a showing of good cause for the request.

Respectfully submitted,



Donald J. Zelenka
Senior Assistant Deputy Attorney General
S.C. Bar # 5758

Office of the Attorney General
Post Office Box 11549
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Attorney for Respondent

May 4, 2016

CERTIFICATE OF SERVICE

I, **Donald J. Zelenka**, hereby certify that two copies of the Second Motion to Extend time to file the Initial Brief of Respondent and Designation of Matter in the above referenced case has been served upon counsel for Appellant by depositing one copy of same in the U.S.

Mail, postage-prepaid and addressed as follows:

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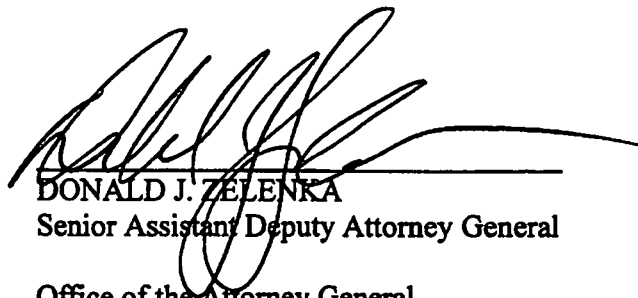
ROBERT M. DUDEK
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SC SUPREME COURT

This 4th day of May, 2016.



DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

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ATTORNEY FOR RESPONDENT