

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Thomas W. Cooper, Jr., Circuit Court Judge

Appellate Case No. 2015-000508

RECEIVED

MAY 25 2016

SC Court of Appeals

THE STATE,

Respondent,

v.

AARON SCOTT YOUNG, JR.,

Appellant.

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

Respondent's Initial Brief is due today, May 25, 2016. 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 until June 24, 2016. In support of this motion, counsel would respectfully show the Court that Respondent has not been able to complete the brief due to the following:

- (1) The attorney for the Respondent has had a number of State and Federal matters to attend to;
 - (A) Dickerson v. State (Capital PCR) **Trial / Merits Hearing in Charleston, S.C. before the Honorable G. Thomas Cooper on May 12-13, 2016; Trial preparation with witnesses on May 11, 2016;**
 - (B) Stanko v. State (Capital PCR)(Georgetown County) (*Stanko I*). (Draft of Proposed Order of Dismissal, **submitted to Judge Jeffrey Young on April 29, 2016;**
 - (C) Jerry Buck Inman (Capital PCR) (1) Return to Amended PCR Application and Motion to Dismiss **filed May 11, 2016;** (2) Motion for *In Camera* Inspection of Discovery Designated Privileged by Opposing Counsel, **filed May 9, 2011;** (3) Review of Discovery Materials provided by Opposing Counsel in preparation for trial and motion; (4) Proposed Scheduling Order to **Judge Macaulay May 4th/5th, 2016;**

- (D) Stanko v. State (Capital PCR)(Horry County) (*Stanko II.*) review of Order Denying PCR Application of Capital PCR Applicant Stephen C. Stanko **on May 16, 2016;**
- (E) State v. Antonio Miller (Murder, Burglary, Kidnapping) receipt of Order from S.C. Supreme Court denying Petition for Rehearing and discussing implications and possible appeal with supervisor and notifying Solicitor's Office of the same **on May 19, 2016.**
- (F) State v. Antonio Collins (Murder, Burglary 1st)(Final Brief of Respondent) **filed in this Court on May 18, 2016.**
- (G) Freddie Owens v. State (Capital Federal Habeas Case) Preparation of and filing of Respondent's Response to Motion to Recuse District Judge **filed May 6, 2016 in U.S. District Court;** Respondent's review of Petitioner's Reply to Opposition to Motion for Discovery & review of Petitioner's Reply to Respondent's Response to Motion to Recuse;
- (H) Martucci v. Warden (Federal Habeas Case)(Homicide by Child Abuse) Review of Objections to Report and Recommendation of U.S. Magistrate recommending summary judgment to Respondent, **reviewed on May 16, 2016;**
- (I) State v. Joshua Porch (Murder) Preparation for and Oral Argument before this Court **on May 3, 2016;**
- (J) Quentin Holt v. Warden (Federal Habeas Return & Motion for Summary Judgment) **filed May 2, 2016 in U.S. District Court.** Review of Response to Return and Motion for Summary Judgment **received May 18, 2016.**
- (K) Stacy Pringle v. Warden (Federal Habeas Matter) Objections to Report and Recommendation of Judge Kaymani West **filed April 21, 2016 in U.S. District Court;**
- (L) The State v. Steven Otts (Murder Appeal) preparation for and Oral Argument which was **held on April 20, 2016 in the S.C. Court of Appeals;**
- (M) Derrick F. Williams v. Riley (Federal Habeas) **Reply to Response in Opposition to Motion for Summary Judgment, filed April 19, 2016 in the U.S. District Court;**
- (N) State v. Luzenkski Cottrell (Capital Murder/Death Penalty) Preparation of Initial Brief of Respondent, **currently in process;**
- (O) Alfonzo Staton v. Warden (Federal Habeas Matter) Coordinating filing of Joint Status Report with opposing counsel Tristan Shaffer which was **filed in U.S. District Court on May 12, 2016 and subsequently corrected on May 18, 2016.**
- (P) James Dator v. Warden (Federal Habeas Case) Respondent's Response to Motion to Amend **filed April 27, 2016 in U.S. District Court;**

(Q) Review of numerous Reports and Recommendations or Orders from the United States District Court in various federal habeas matters and filings in those cases;

and other matters.

However, due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Brief in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, all premises considered, for extraordinary circumstances shown, counsel hereby respectfully requests a thirty (30) day extension of time until June 24, 2016 to serve and file the Initial Brief of Respondent and Designation of Matter. This is a 2nd extension request.

Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
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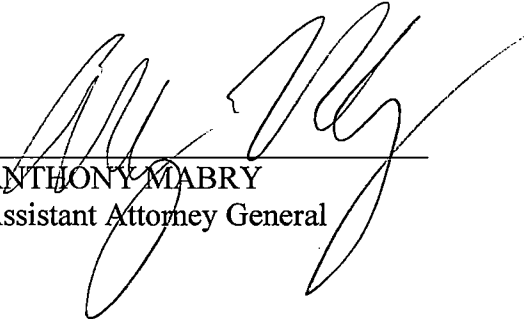
By: _____

ANTHONY MABRY

May 25, 2016

CERTIFICATE OF SERVICE

I, Anthony Mabry, hereby certify that I have served the Motion for an Extension to File Initial Brief of Respondent and Designation of Matter by depositing copy in the United States mail to F. Elliott Quinn, IV, Esquire, 200 Meeting Street, Suite 301, Charleston, SC 29401 this 25th day of May, 2016.



ANTHONY MABRY
Assistant Attorney General

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SC Court of Appeals



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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

May 25, 2016

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

Re: The State v. Aaron Scott Young, Jr.
Appellate Case No. 2015-000508

Dear Ms. Kitchings:

Enclosed please find a Motion to Enlarge Time for filing Initial Brief of Respondent and Designation of Matter in the above-captioned matter for filing in your office. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Assistant Attorney General

/lbb
Enclosure

cc: F. Elliotte Quinn, IV, Esquire