

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Kristi Lea Harrington, Circuit Court Judge

Appellate Case No. 2015-000306

RECEIVED

MAY 23 2016

SC Court of Appeals

THE STATE,

Respondent,

v.

KADRIN RAJUN SINGLETON,

Appellant.

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

Respondent's Initial Brief is due today, May 23, 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 22, 2016. In support of this motion, counsel would respectfully show the Court that Respondent *has completed almost all of this brief* but has not been able to complete all of the same 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) Quintin 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, Objections **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 Shafer 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.

2. Respondent has consulted with opposing counsel, David Alexander, Esquire, of the Office of Appellate Defense, and he has no objection to this requested extension.

3. Respondent has requested from the Solicitor's Office a copy of a taped telephone conversation admitted at trial referenced in Respondent's Initial Brief, and the Solicitor's Office is working to provide Respondent with a copy of the same for Respondent's review.

4. Respondent requested from opposing counsel a copy of the Juror List and any transcript of the general qualification of the panel during voir dire. [Appellant is raising a reverse Batson issue in Appellate Ground II.]. Opposing counsel did not have the same, and Respondent has requested the Juror List from the Solicitor's Office.

5. A paralegal is assisting Respondent's attorney with this brief to facilitate the completion of this Initial Brief of Respondent.

WHEREFORE, all premises considered, for extraordinary circumstances shown, counsel hereby respectfully requests a thirty (30) day extension of time until June 22, 2016 to serve and file the Initial Brief of Respondent and Designation of Matter. This is a 4th extension request.

Respectfully submitted,

ALAN WILSON
Attorney General

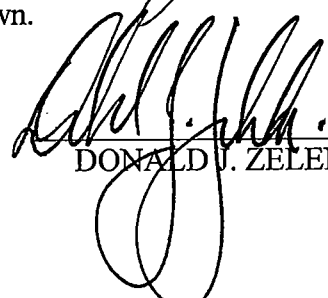
JOHN W. McINTOSH
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Senior Assistant Deputy Attorney General

ANTHONY MABRY
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Post Office Box 11549
Columbia, South Carolina 29211
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By: 
ANTHONY MABRY

We agree extraordinary circumstances have been shown.

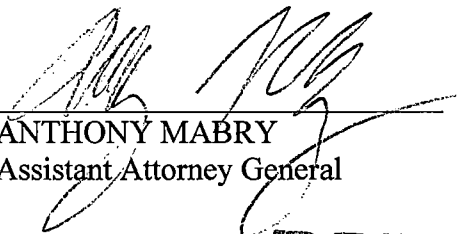

DONALD J. ZELENKA


JOHN W. McINTOSH

May 23, 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 InterAgency Mail to David Alexander, Esquire, Division of Appellate Defense, 1330 Lady Street, Ste. 401, Columbia, SC 29201 this 23rd day of May, 2016.



ANTHONY MABRY
Assistant Attorney General

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ALAN WILSON
ATTORNEY GENERAL

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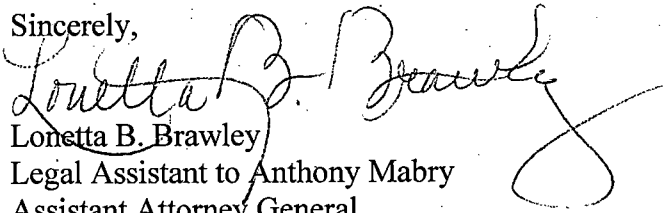
Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: The State v. Kadrin Singleton
Appellate Case No. 2015-000306

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: David Alexander, Esquire