

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

ORIGINAL

Appeal from Richland County
Honorable James W. Johnson, Jr., Circuit Court Judge

RECEIVED

MAY - 4 2012

The State,

Respondent, Supreme Court

vs.

Miama Kromah,

Appellant.

**MOTION FOR SECOND EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE BRIEF OF RESPONDENT**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Brief of Respondent is due to be served and filed on May 4, 2012.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a second extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has completed briefs in State v. Harrison, State v. Saunders, State v. Kelly,

State v. Cameron, State v. Leggette, State v. Harrison, State v. Burton, State v. Hawes, State v. Tyre, State v. Norris, In the Interest of Resean L, State v. Middleton, and State v. Chen. The undersigned has completed a Petition for Writ of Certiorari in State v. Collins, In the Matter of the Care and Treatment of Way, State v. Watkins, State v. Hercheck, and State v. Sawyer, as well as a Return to the Petition for Writ of Certiorari in State v. Welch, In the Matter of the Care and Treatment of Way, State v. Burdine, and State v. Sterling. Further, the undersigned has completed Petitions for Rehearing in State v. Collins and In the Matter of the Care and Treatment of Williams. The undersigned has prepared for and participated in oral argument before the South Carolina Supreme Court in State v. Green, In the Matter of the Care and Treatment of Bobby Manigo, State v. Kelly, and State v. Phillips as well as in the Court of Appeals in State v. Phillip Miller, State v. Harlin, State v. Collins, In the Matter of the Care and Treatment of Williams, State v. Gregory, State v. Epting, State v. Wood, State v. Hoyle, State v. Williams, and State v. Vickery. The undersigned is currently preparing for oral arguments in State v. Thompson and State v. Harrison, both scheduled at the Court of Appeals for May 8, 2012.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The undersigned hopes to have the Brief completed in a timely manner. I would therefore request a second extension of time within which to serve and file the Brief of Respondent.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.


Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Assistant Deputy Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General


WILLIAM M. BLITCH, JR.
Assistant Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 4, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Richland County
Honorable James W. Johnson, Jr., Circuit Court Judge

The State,

Respondent,

vs.

Miama Kromah,

Appellant.

PROOF OF SERVICE

I, Ellen DuBois, certify that I have served the Motion For Second Extension Of Time Within Which To Serve And File Brief Of Respondent on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P. O. Box 11589
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.

This 4th day of May, 2012.

Ellen R. DuBois

ELLEN R. DuBOIS
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

RECEIVED

MAY - 4 2012

S.C. Supreme Court

May 4, 2012

The Honorable Daniel E. Shearouse
Clerk, SC Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

Re: State v. Miama Kromah

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of a Motion For Second Extension Of Time Within Which To Serve And File Brief Of Respondent, with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Robert M. Dudek, Esquire
Victim Services