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SC Court of Appeals

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

**Appeal from Lexington County
Honorable Thomas W. Cooper, Jr., Circuit Court Judge**

THE STATE,

Respondent,

v.

HENRY NORRIS JOHNSON, JR.,

Appellant

Appellate Case No. 2015-002242.

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

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 ordered the transcript of the proceedings on appeal on July 22, 2016. The time for transcription has not yet passed. SCACR 607(d). Consequently, Respondent has not yet received the transcript necessary for completion of the initial brief.

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 a return and memorandum of law in a federal habeas action (*Terrence Gymon Lemon*); prepared and filed replies or responses in opposition in three (3) other federal habeas actions (*Yesenia Ramirez, Jimmy Taylor and Eric Marsh*). Undersigned counsel is currently preparing for a September 21, 2016, oral argument before this Court in a non-capital murder direct appeal (*State v. Walker Manning Hughes*).

2. Due to the outstanding transcript request and her case load, 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. Undersigned counsel has conferred with opposing counsel Ms. Franklin-Best, who has consented to this request.

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.

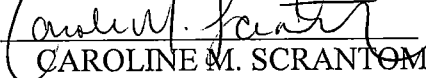
Respectfully submitted,

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

September 19, 2016
Columbia, South Carolina

S.C. Bar No. 101357
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Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

ATTORNEYS FOR RESPONDENT

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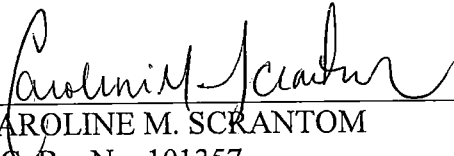
Appellate Case No. 2015-002242.

PROOF OF SERVICE

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:

Elizabeth Franklin-Best, Esquire
Blume, Norris & Franklin-Best, LLC
900 Elmwood Avenue, Suite #101
Columbia, South Carolina 29201

This 19th day of September, 2016.


CAROLINE M. SCRANTOM
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Office of Attorney General
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Columbia, SC 29211
(803) 734-6305

ATTORNEY FOR RESPONDENT



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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

September 19, 2016

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

Re: The State v. Henry Norris Johnson, Jr.
Appeal from Lexington County
Appellate Case No. 2015-002242

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,

Caroline M. Scrantom
Assistant Attorney General

CMS/pjc

cc: Elizabeth Franklin-Best, Esquire