

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Greenville County  
Honorable C. Victor Pyle, Circuit Court Judge

Appellate Case No. 2015-002541

---

THE STATE,

Respondent,

vs.

SYLVESTER KEEJUAN KING,

Appellant.

**RECEIVED**  
MAY 03 2017  
SC Court of Appeals

---

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

---

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. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, May 3, 2017, pursuant to this Court's Order dated April 20, 2017.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend since April 3, 2017. Specifically, counsel filed the Returns and Memoranda of Law in Support of Motions for Summary Judgment in Tyron C. Wade, #284384 vs. Warden Riley, C/A No. 6:17-92-JFA-KFM, John Julius Smith, #246646 vs. Warden, Goodman Correctional Institution, C/A No. 4:16-4008-TLW-TER, and Lexie

James Turner, #249878 vs. State of South Carolina, C/A No. 1:17-581-JMC-SVH, all federal habeas actions pending in the United States District Court for the District of South Carolina. Counsel also filed a Reply to the Response in Opposition to the Motion for Summary Judgment in Shannon D. McGee, Sr., #147120 vs. Warden Joseph McFadden, C/A No. 1:16-3866-PMD-SVH, and a Response in Opposition to Motion to Alter or Amend Judgment in Damien O. Johnson, #305511 vs. Warden, Livesay Correctional Institution, C/A No. 5:15-02059-MBS, both federal habeas actions pending in the United States District Court for the District of South Carolina.

Counsel filed the Initial Brief of Respondent in State v. Rodney R. Green, Appellate Case No. 2015-002443, a direct appeal in a Sumter County murder case now pending before the South Carolina Court of Appeals.

Counsel also prepared and filed the Respondents' Supplemental Brief Regarding Appointment of Counsel in Bobby Wayne Stone, #5051 vs. Stirling, et al., C/A No. 2:17-00136-MGL-MGB, a Sumter County capital case now pending in the United States District Court for the District of South Carolina.

On April 13, 2017, counsel presented oral argument before the South Carolina Supreme Court in Marion Bowman, #6006 v. State of South Carolina, an appeal in a post-conviction relief action in a Dorchester County capital case.

Counsel has also spent a significant amount of time reviewing the files and preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Supreme Raheem Ackbar, #182864, a/k/a Ronald Gary, #275886 vs. Warden McFadden, C/A No. 4:17-00334-RMG-TER.

Counsel has completed review of the transcript in this case and has done a significant amount of work preparing the Initial Brief of Respondent. 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 Initial Brief of Respondent. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent.

Respectfully Submitted,

ALAN WILSON  
Attorney General

J. ROBERT BOLCHOZ  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

ALPHONSO SIMON, JR.  
Assistant Attorney General  
Bar No. 74713

Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

By:   
\_\_\_\_\_  
ALPHONSO SIMON, JR.  
ATTORNEYS FOR RESPONDENT

May 3, 2017.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Greenville County  
Honorable C. Victor Pyle, Circuit Court Judge

Appellate Case No. 2015-002541

---

**RECEIVED**

MAY 03 2017

**SC Court of Appeals**

THE STATE,

Respondent,

vs.

SYLVESTER KEEJUAN KING,

Appellant.

---

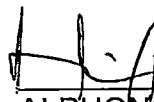
**PROOF OF SERVICE**

---

I, Alphonso Simon, Jr., of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a second extension of time to file the Initial Brief of Respondent via U.S. mail to his attorney of record, Robert M. Dudek, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

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

This 3<sup>rd</sup> day of May, 2017.



---

ALPHONSO SIMON, JR.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305



ALAN WILSON  
ATTORNEY GENERAL

May 3, 2017

**RECEIVED**

MAY 03 2017

**SC Court of Appeals**

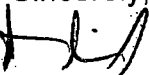
The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: *The State v. Sylvester Keejuan King*  
Appeal from Greenville County  
Appellate Case No. 2015-002541

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Second Extension of Time to File Initial Brief of Respondent, together with Proof of Service, in the above-referenced matter. I am informing opposing counsel of my request by copy of this letter.

Thank you for your assistance in this matter.

Sincerely,  


Alphonso Simon, Jr.  
Assistant Attorney General

AS/dmd

Enclosures

cc: Robert M. Dudek, Esq. (w/two copies of encls.)