

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Honorable G. Thomas Cooper, Circuit Court Judge

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MAY 31 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent,

v.

AARON YOUNG, SR.,

Appellant

Appellate Case No. 2016-000873

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

The Respondent, above-named, hereby makes a second motion to the Court to extend the time of filing the Initial Brief of Respondent and Designation of Matter until June 30, 2017. The Initial Brief of Respondent in the above action is due to be filed May 31, 2017. Respondent is actively working on the brief and *has completed a majority of the brief*. However, Respondent has not been able to complete the brief because of the following reasons:

A. Respondent's counsel has been involved in intervening cases in both state and federal court, including:

1. Marvin L. Williams v. Warden (Reply to Response to Return and Motion for Summary Judgment, filed May 25, 2017;
2. Mahdi v. State (Capital PCR) Hearing before Judge Early in Bamberg on May 1,

2017 on State's Motion to Dismiss 2nd or Successive Capital PCR Application *and*
Draft of Proposed Order of Dismissal to submit to the Court;

3. Luzenski Cottrell v. State (Death Penalty Direct Appeal) Preparation for and **Oral Argument** before the South Carolina Supreme Court **on May 24, 2017**;
4. Freddie Owens v. State (Capital Federal Habeas Action) Amended Return and Motion for Summary Judgment **filed May 8, 2017** (274 pages);
5. Blackwell v. Leath (Federal Habeas Action) Response to Motion to Dismiss, **filed May 17, 2017**;
6. Glover v. Stirling (Federal Habeas Action) Motion for Summary Judgment and Return and Memorandum of Law in Support of Motion for Summary Judgment, **filed May 19, 2017**;
7. State v. Suzanna Simpson (IBOR) Review of Entire Trial Transcript and Review of Initial Brief of Appellant and Briefs in Co-defendant direct appeal;

And, other matters.

- B. Respondent has requested an exhibit from the Solicitor's Office regarding this case (Map of the Area involved) to properly complete and file the Initial Brief and has not received the requested exhibit at the time of the filing of this extension Request.

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

Respectfully submitted,

ALAN WILSON
Attorney General

J.ROBERT BOLCHOZ
Chief Deputy Attorney General

DONALD J. ZELENKA
Deputy Attorney General

ANTHONY MABRY
Senior Assistant Attorney General
No. 11973
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By:


ANTHONY MABRY

May 31, 2017

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, hereby certify that the Second Motion to Extend time to file the Initial Brief of Respondent and Designation of Matter in the above referenced case has been served upon Appellant by depositing one copy of same in the InterAgency Mail and addressed as follows:

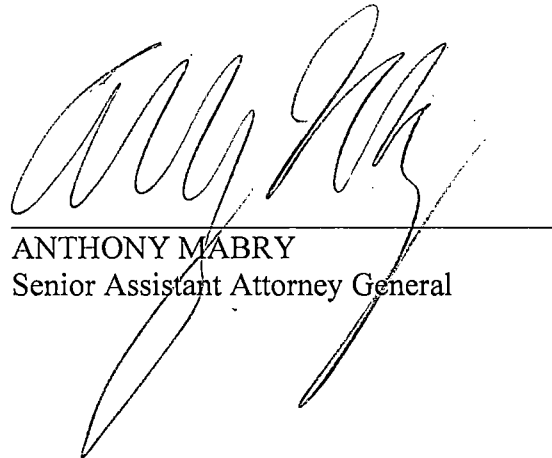
Kathrine H. Hudgins
Appellate Defender
Division of Appellate Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 31st day of May, 2017.

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MAY 31 2017

SC Court of Appeals



ANTHONY MABRY
Senior Assistant Attorney General



ALAN WILSON
ATTORNEY GENERAL

May 31, 2017

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SC Court of Appeals

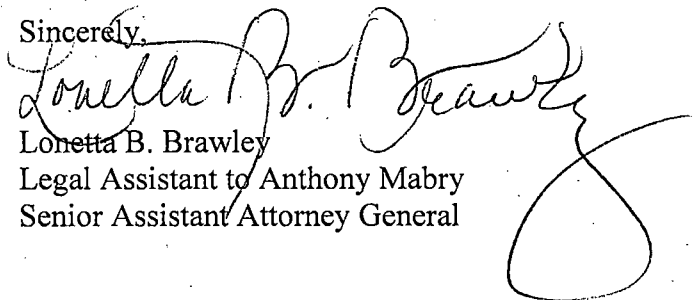
Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: The State v. Aaron Young, Sr.
Appellate Case No. 2016-000873

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
Senior Assistant Attorney General

/lbb
Enclosure

cc: Kathrine H. Hudgins, Esquire