

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Honorable Brian M. Gibbons, Circuit Court Judge

STATE OF SOUTH CAROLINA,

Respondent,

v.

SUZANNA BROWN SIMPSON,

Appellant

Appellate Case No. 2016-001387

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JUN 30 2017
SC Court of Appeals

**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 July 30, 2017. The Initial Brief of Respondent in the above action is due to be filed June 30, 2017. Respondent *has completed review of the entire trial transcript.* However, Respondent has not been able to complete the initial brief because of the following reasons:

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

1. State v. Aaron Young, Sr. (Initial Brief of Respondent, Murder) **in process and near completion;**
2. Emory Roberts v. Warden (Federal Habeas Corpus) Reply to Petitioner's 4th Response

- to Respondent's Motion for Summary Judgment, **filed June 16, 2017 in U.S. District Court;**
3. Mahdi v. State, (Capital 2nd or successive PCR) Draft and Completion of Proposed Order of Dismissal and Submission to the Honorable Doyet Early, III., Circuit Court Judge, **submitted on June 7, 2017 (41 pages);**
 4. Sean Stroman v. State (Lexington PCR, Armed Robbery and Kidnapping) Return and Motion to Dismiss, **filed June 12, 2017 [by U.S. mail] in the Lexington County Court of Common Pleas;**
 5. Owens v. State (Capital Federal Habeas Action) Research and Draft of Reply to Petitioner's anticipated Response to Respondent's Amended Return and Motion for Summary Judgment, **currently in process;**
 6. Owens v. State (Capital Federal Habeas Action) Reply to Petitioner's 2nd Motion to Recuse the Judge, **filed June 16, 2017 in U.S. District Court;**
 7. Mahdi v. Stirling (Capital Federal Habeas Action) Status Report to U.S. District Court regarding ruling of Judge Early in 2nd or successive capital PCR action, **filed June 9, 2017 in U.S. District Court;**
 8. Mahdi v. Stirling (Capital Federal Habeas Action) Preparation of Return to anticipated Amended Petition for Federal Habeas Corpus Relief of Petitioner, **in process (currently over 400 pages);**
 9. Torrence v. State (Lexington PCR, Murder) Review of Transcript of Trial in preparation for PCR and requesting surveillance video from trial and reviewing the same;
 10. State v. Ardon Cato (Final Brief of Respondent, Murder) **filed June 1, 2017 in this**

Court;

And, other matters.

- B. Respondent's attorney has been out of the Office this month on scheduled doctor's visits and is scheduled for two (2) different medical procedures on June 29, 2017 and June 30, 2017.
- C. Respondent's attorney attended a capital litigation conference in Phoenix, Arizona from June 11 through June 14, 2017 [Forensic Evidence].

Respondent has consulted with opposing counsel, J. Falkner Wilkes, and he consents to this requested extension.

WHEREFORE, premises considered, 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

DONALD J. ZELENKA
Deputy Attorney General

MELODY BROWN
Senior Assistant Deputy Attorney General

ANTHONY MABRY
Senior Assistant Attorney General
No. 11973
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By


ANTHONY MABRY

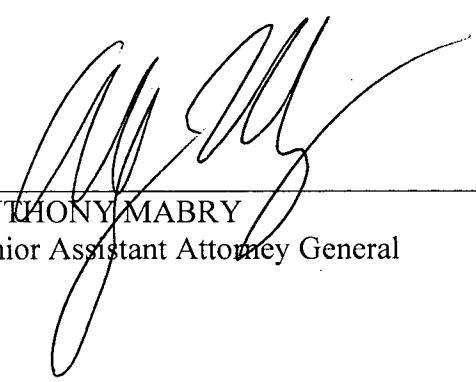
June 30, 2017

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 United States Mail and addressed as follows:

J. Falkner Wilkes, Esquire
114 Whitsett Street
Greenville, SC 29601

This 30th day of June, 2017.



ANTHONY MABRY
Senior Assistant Attorney General

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JUN 30 2017
SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

June 30, 2017

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

Re: The State v. Suzanna Brown Simpson
Appellate Case No. 2016-001387

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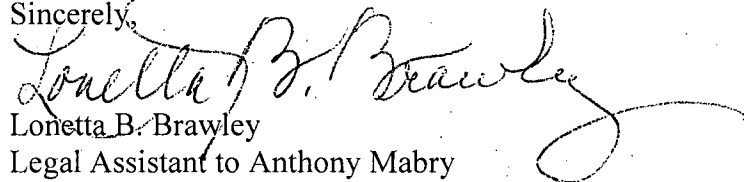
JUN 30 2017

SC Court of Appeals

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

/bb
Enclosure

cc: J. Falkner Wilkes, Esquire