

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Darlington County
Honorable Roger E. Henderson, Circuit Court Judge

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JUL 26 2017

SC Court of Appeals

THE STATE,

Respondent,

v.

JOEY LATWAN GIBSON,

Appellant

Appellate Case No. 2016-001585.

**MOTION FOR THIRD 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 third 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 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 returns and memoranda of law in a federal habeas action in the District Court of South Carolina (*Kevin Bradley v. Warden*); prepared and filed supplemental or oppositional pleadings in an additional federal habeas action (*D'Andrick Breaker v. Warden*); prepared and filed a return to petition for writ of certiorari in the South Carolina Supreme Court in a post-

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conviction relief action (*Matthew Eargle v. State*); prepared and filed an initial brief of respondent in this Court in a non-capital murder appeal (*State v. John Ghent, Jr.*); prepared and filed a final brief of respondent in this Court in another non-capital murder appeal (*State v. John Sledge*); and prepared and filed a number of pleadings in post-conviction relief cases in the Eleventh Circuit (*Eric Marsh v. State*; *Patrick Kirks v. State*; *Aurelio Colorado v. State*).

3. Due to her case load, undersigned counsel for Respondent has substantially drafted, but has been unable to perfect, the initial brief in this appeal in a timely fashion and would request the additional time in order to do so.

4. This is the third 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.

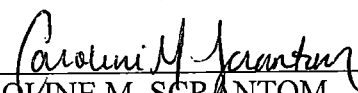
Respectfully submitted,

ALAN WILSON
Attorney General

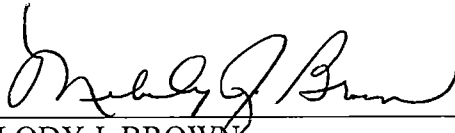
DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

CAROLINE M. SCRANTOM
Assistant Attorney General

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

July 26, 2017

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I support the finding of good cause.

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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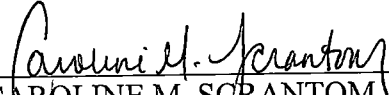
Appellate Case No. 2016-001585.

PROOF OF SERVICE

I, Caroline M. Scrantom, certify that I have served Respondent's Motion for a Third 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:

John H. Strom
SCCID/Division of Appellate Defense
P.O. Box 11589
Columbia, South Carolina 29211

This 26th day of July, 2017.


CAROLINE M. SCRANTOM
S.C. Bar No. 101357
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Post Office Box 11549
Columbia, SC 29211
(803) 734-6305
ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

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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. Joey Latwan Gibson*
Appeal from Darlington County
Appellate Case No. 2016-001585

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Third 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,


Caroline M. Scramton
Assistant Attorney General

CMS/csm
Enclosures

cc: John H. Strom, Appellant Defense. (w/three copies of encls.)
The Honorable William B. Rogers, Jr., Solicitor, 4th Circuit
Trisha Allen, Victim Advocacy Div.