

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Charleston County
Honorable Carmen T. Mullen, Circuit Court Judge

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AUG 23 2017

SC Court of Appeals

THE STATE,

Respondent,

v.

ANTHONY M. ENRIQUEZ,

Appellant.

Appellate Case No. 2016-002237

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

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, August 23, 2017, upon this Court's grant of Respondent's first request for an extension filed on July 25, 2017.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend since July 24, 2017. Specifically,

1. Counsel filed the Motion for Summary Judgment, Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Perry B. Buchanan, #281305 vs. Dunlap, Warden, C/A No. 4:17-1490-MGL-TER on August 7, 2017;



2. Counsel has participated in and has done a substantial amount of work, including preparing and filing the Respondent's Motion for Summary Judgment on August 15, 2017, in Stephen Corey Bryant, #5252 vs. State of South Carolina, Case No. 2016-CP-43-828, a Sumter County capital post-conviction relief matter;

3. Counsel prepared the Return to Petition for Writ of Certiorari in the matter of Carrie Callaham vs. State of South Carolina, Appellate Case No. 2016-001744, Lower Court Case No. 2014-CP-32-1177, a Lexington County Post-Conviction Relief appeal matter which will be filed today, Wednesday, August 23, 2017;

4. Counsel is currently preparing the Return to Application for Post-Conviction Relief in the Lexington County matter of Shawn Sharpe, #340383 vs. State of South Carolina, Case No. 2017-CP-32-00476;

5. Counsel is currently preparing the Return to Application for Post-Conviction Relief in the Lexington County matter of Deshaun A. Drafts, #358211 vs. State of South Carolina, Case No. 2016-CP-32-00570; and,

6. Counsel has also been reviewing matters due to her involvement in the Office of the Attorney General's Appellate Decision Review Committee.

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 in this matter. 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 and Designation of Matter.

Respectfully Submitted,

ALAN WILSON
Attorney General

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By:



SHERRIE A. BUTTERBAUGH

ATTORNEYS FOR RESPONDENT

August 23, 2017.

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PROOF OF SERVICE

I, Sherrie A. Butterbaugh, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a second extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to his attorney of record, Laura Ruth Baer, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Ste. #401, Columbia, South Carolina 29201.

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

This 23rd day of August, 2017.



SHERRIE A. BUTTERBAUGH
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(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

August 23, 2017

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

Re: *The State v. Anthony M. Enriquez*
Appeal from Charleston County
Appellate Case No. 2016-002237

Dear Ms. Kitchings:

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

Sherrie Butterbaugh
Assistant Attorney General

SB:dmd

Enclosures

cc: Laura Ruth Baer, Esq. (w/two copies of encls.)

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