

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable Eugene C. Griffith, Jr., Circuit Court Judge

Appellate Case No. 2016-002301

THE STATE,

vs.

Gregory Lamont Brooks,

Respondent,

Appellant.

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SC Court of Appeals

**MOTION FOR THIRD 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. The Initial Brief of Respondent is due to be filed today, February 7, 2018. Respondent requests a thirty (30) day extension in which to file the Initial Brief until on or before, March 9, 2018. In support of this motion, counsel would respectfully show the Court the following:

Respondent's attorney has been involved in other matters in both state and federal court that has prevented the timely filing of the Initial Brief of Respondent in this matter, to wit:

1. Brantley Clarke v. State (Lewd Act on a Minor) Return to Petition for Writ of Certiorari filed Monday, February 5, 2018 in the South Carolina Supreme Court;

2. Harold Watts v. Warden (Attempted Murder & Burglary 1st) Objection to Report and Recommendation of U.S. Magistrate, **filed Tuesday, February 6, 2018 in U.S. District Court;**
3. Sean Stroman v. State (Kidnapping & Armed Robbery/Lexington PCR) Amended Return and Motion to Dismiss without Prejudice, **filed Monday, February 5, 2018 in Lexington County;**
4. Michael McCraw v. State (Manufacturing Methamphetamine/Lexington PCR) Conference with attorney/witness **on February 6, 2018** and **Order of Continuance sent to Judge Cole Wednesday, February 7, 2018** due to attorney/witness absence from the United States;
5. Charles Vandross v. Warden (Murder, Burglary 1st Degree, Kidnapping) Federal Habeas Return **to be filed tomorrow, Thursday February 8, 2018 in U.S. District Court;**
6. State v. Luzenski Allen Cottrell (Death Penalty Case) Return to Petition for Rehearing, **filed January 29, 2018 in the South Carolina Supreme Court;**
7. Keon Griffin v. Warden (Murder) Federal Habeas Return, **filed January 22, 2018 in U.S. District Court;**
8. Herman Stoudenmire v. Warden (Murder) Federal Habeas return, **in process;**
9. Sammy Stokes v. Warden Byers (Death Penalty Federal Habeas Action) Trial of evidentiary hearing pursuant to Martinez v. Ryan **from January 8-11, 2018 in U.S. District Court before the Honorable Shiva Hodges;**

And, other matters.

Respondent has consulted with opposing counsel, Susan Hackett, and she has no objection to the requested extension.

WHEREFORE, for good cause shown, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent until on or before March 9, 2018.

RESPONDENT SO MOVES.

Respectfully Submitted,

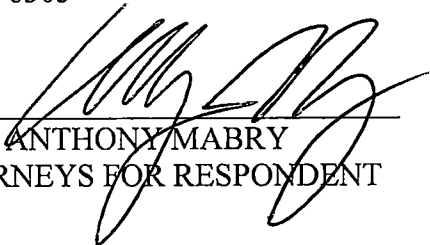
ALAN WILSON
Attorney General

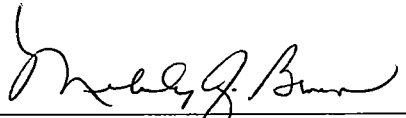
DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Senior Assistant Attorney General

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

By: 
J. ANTHONY MABRY
ATTORNEYS FOR RESPONDENT

By: 
MELODY J. BROWN

I support the finding of good cause.
February 7, 2018.

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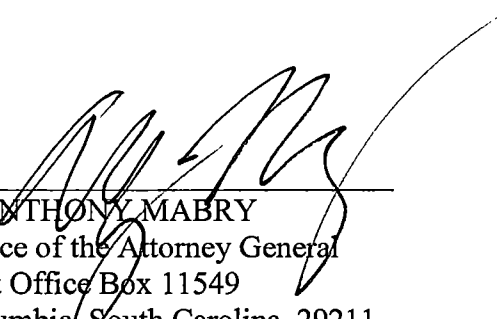
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PROOF OF SERVICE

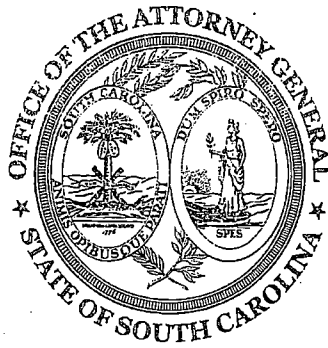
I, J. Anthony Mabry, counsel for the Respondent, certify that I have served two (2) copies of the within motion for a third extension of time to file the Initial Brief of Respondent via U.S. mail to his attorney of record, Susan B. Hackett, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

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

This 7th day of February, 2018.



J. ANTHONY MABRY
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

February 7, 2018

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

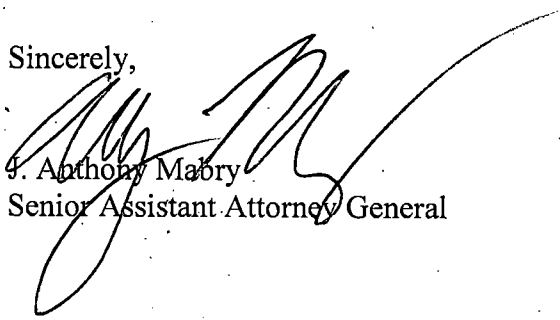
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Re: Gregory Lamont Brooks v. State of South Carolina;
Appellate Case No.: 2016-002301

Dear Ms. Kitchings:

The *Initial Brief of Respondent* in the referenced matter was due to be served and filed on Wednesday, February 07, 2018. Due to attorney's involvement in both state and federal court matters, he has been unable to file aforementioned document in a timely manner. Therefore, we respectfully request a third extension of 30 days in which to file the IBOR. I have consulted with opposing counsel, Ms. Hackett, who informs me she has no objection to this request.

Sincerely,


J. Anthony Mabry
Senior Assistant Attorney General

JAM/csm

Cc: Susan B. Hackett, Esquire, Appellate Defense