

2nd ADB due 3/7/18

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Williamsburg County
Michael G. Nettles, Circuit Court Judge

RECEIVED

MAR 07 2018

Appellant, SC Court of Appeals

THE STATE,

v.

RONALD HAKEEM MACK,

Respondent.

Appellate Case No. 2017-002441.

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Appellant in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Appellant's Initial Brief is due today, March 7, 2018 as per this Court's Order dated February 8, 2018 granting Appellant's first extension request

The undersigned attorney for the Appellant has had a number of state and federal matters to attend since February 5, 2018. Specifically,

1. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Willis Weary, #383431 vs. Warden of Ridgeland Correctional Institution, C/A No. 9:17-2618-BHH-BM on February 9, 2018;

2. Counsel filed the Respondent's Reply to Objections to Report and Recommendation in the matter of Shondray L. Martin, #222785 vs. Warden of McCormick Correctional Institution, C/A No.: 2:17-00978-RBH on February 13, 2018;

3. Counsel also filed the Respondent's Reply to Petitioner's Motion to Strike in the matter of Reginald C. Sheftall, Jr., #348974, a/k/a Riegnald C. Sheftall vs. Aaron S. Joyner, Warden, C/A No.: 8:17-1955-TMC-JDA on February 14, 2018;

4. On February 15, 2018 counsel filed the Brief of Respondent in The State vs. Jalann Williams, Appellate Case No. 2017-000727, a Charleston County direct appeal matter now pending in the South Carolina Supreme Court;

5. Counsel also filed the Final Brief of Respondent in The State vs. Justin Antonio Butler, Appellate Case No.: 2016-001269 on February 20, 2018, a Lexington County direct appeal matter pending before the South Carolina Court of Appeals;

6. Counsel prepared for a term of post-conviction relief court in the Eleventh Judicial Circuit of the South Carolina state court which took place beginning February 20, 2018, including writing proposed orders, contacting witnesses, and researching the underlying facts to prepare for the conduct evidentiary and motion hearings in the matters of Robert Allen Baker, #341795 vs. State of South Carolina, Case No. 2012-CP-32-1112; Shawn Sharpe, #340383 vs. State of South Carolina, Case No. 2017-CP-32-0476; Jimmy Lee Christopher Columbus Burton, II, #198955 vs. State of South Carolina, Case No. 2016-CP-19-00038; James P. Robinson, 250720 vs. State of South Carolina, Case No. 2016-CP-41-00077; Steven Ashley DuBose, #253422 vs. State of South Carolina, Case No. 2015-CP-19-0278; and Terry Dale Manning, #352425 vs. State of South Carolina, Case No. 2013-CP-35-00054, all matters currently pending in the Eleventh Circuit.

7. Counsel filed the Respondent's Reply to Objections to Report and Recommendation in the matter of David Roy Lynch, a/k/a Roy David McDowell #270223 vs. Leroy Cartledge, C/A No. 6:16-03939-RBH on February 27, 2018;

8. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of David W. Watson, #334288 vs. Warden, Lieber Correctional Institution, C/A No. 8:17-3079-DCC-JDA on March 5, 2018;

9. Counsel also filed the Respondent's Reply to Response to Motion for Summary Judgment in Mark Allen Elliott, #343763 vs. Aaron S. Joyner, C/A No.: 0:17-02745-PMD-PJG also on March 5, 2018;

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

11. Counsel has done a substantial amount of work preparing the Initial Brief of Appellant in this matter; and

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 Appellant 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 Appellant and Designation of Matter.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
No. 14244

SHERRIE A. BUTTERBAUGH
Assistant Attorney General
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By: _____


SHERRIE A. BUTTERBAUGH

ATTORNEYS FOR RESPONDENT

March 7, 2018.

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Williamsburg County
Michael G. Nettles, Circuit Court Judge

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SC Court of Appeals

THE STATE,

Appellant,

v.

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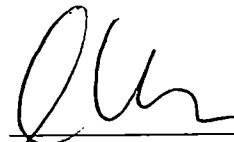
Appellate Case No. 2017-002441.

PROOF OF SERVICE

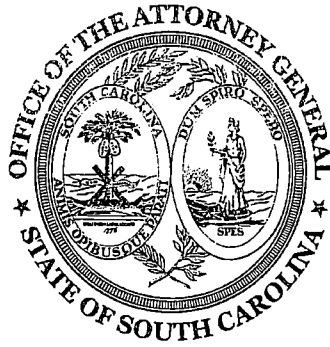
I, Sherrie A. Butterbaugh, of counsel for the Appellant, certify that I have served two (2) copies of the within motion for a second extension to file Initial Brief of Appellant and Designation of Matter via U.S. mail to his attorney of record, Laura R. Baer, Esq., SCID/Division of Appellate Defense, 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 7th day of March, 2018.



SHERRIE A. BUTTERBAUGH
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(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

March 7, 2018

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MAR 07 2018

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. Ronald Hakeem Mack*
Appeal from Williamsburg County
Appellate Case No. 2017-002441

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Appellant's Second Motion for Extension of Time to File Initial Brief of Appellant, 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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