

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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

Appellate Case No. 2016-002301

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THE STATE,

Respondent,

vs.

GREGORY LAMONT BROOKS,

Appellant.

**RECEIVED**  
MAR 09 2018  
SC Court of Appeals

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**MOTION FOR FOURTH EXTENSION OF TIME TO FILE  
INITIAL BRIEF OF RESPONDENT**

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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, March 9, 2018. Respondent requests a thirty (30) day extension in which to file the Initial Brief until on or before April 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. Mikal Mahdi v. State (Capital PCR) **Response to Rule 243(c), SCACR, Explanation from dismissal of 2<sup>nd</sup> PCR action requested by the South Carolina Supreme Court,**

- filed Monday March 5, 2018, in the South Carolina Supreme Court (approximately 40 pages);
2. Freddie Owens v. Warden, (Capital Federal Habeas case) **Response to Petitioner's Objections to the Report and Recommendation** of the U.S. Magistrate, filed in U.S. District Court on Friday, March 2, 2018 (approximately 185 pages);
  3. Freddie Owens v. Warden (Capital Federal Habeas case) **Respondent's Objections to the Report and Recommendation** of the U.S. Magistrate, filed in U.S. District Court on February 16, 2018;
  4. Harold Watts v. Warden (Attempted Murder & Burglary 1<sup>st</sup>) **Response to Petitioner's Objections to Report and Recommendation** of U.S. Magistrate, filed Tuesday, March 6, 2018 in U.S. District Court;
  5. Michael McCraw v. State (Manufacturing Methamphetamine/Lexington PCR); **Drafting Return to Amended PCR Application on March 5, 2016, in process;**
  6. Charles Vandross v. Warden (Murder, Burglary 1<sup>st</sup> Degree, Kidnapping) **Federal Habeas Return filed, Thursday February 8, 2018 in U.S. District Court;**
  7. State v. Luzenski Allen Cottrell (Death Penalty Case/Direct Appeal) **Response to Motion to Stay Execution, filed March 1 , 2018 in the South Carolina Supreme Court;**
  8. Herman Stoudenmire v. Warden (Murder) Federal Habeas Return, numerous grounds, **in process;**
  9. Christian Jeffcoat v. State (Lexington County PCR) **PCR merits hearing before Judge Derham Cole on February 20, 2018 and drafting of proposed Order of Dismissal at Judge Cole's direction on March 6-7, 2018;**

10. Ryan Lee Zater v. State (Lexington County PCR) **Motion to Dismiss before Judge Cole on February 22, 2018 and drafting of proposed Order of Dismissal for Judge Cole and submitting the same to him on March 6, 2018;**
11. Anne Louise Gordan v. State (Murder, 2 Counts, Armed Robbery, 2 Counts / Lexington County PCR) **Motion for Final Order of Dismissal and hearing on the same before Judge Cole on February 22, 2018 and drafting of proposed Final Order and submitting the same to the Court at Judge Cole's direction on March 6, 2018;**
12. Jamie Watkins v. State (Murder, Burglary 1<sup>st</sup> / Lexington County PCR) **Motion for Final Order of Dismissal and hearing on the same before Judge Cole on February 22, 2018 and drafting and submitting proposed Order of Dismissal to Judge Cole on March 6, 2018;**
13. Steven Ross Johnson v. State (Burglary and CSC 1<sup>st</sup>) **Motion for Final Order of Dismissal and hearing on the same before Judge Cole on February 22, 2018 and drafting and submitting proposed Final Order of Dismissal to Judge Cole on March 6, 2018;**
14. Brian Clark v. State (Lexington County PCR) **PCR hearing before Judge Cole on February 21, 2018 and drafting of proposed Order of Dismissal for the Court on March 7 & 9, 2018;**
15. Sabrina Haynes v. State (Aiding and Abetting Homicide by Child Abuse / Lexington PCR) **Motion to Withdraw Application hearing held February 20, 2018 before Judge Cole, colloquy with Applicant, and motion granted;**

16. Sean Stroman v. State (Armed Robbery, 2 Counts / Lexington PCR) **Motion to Dismiss without prejudice, motion hearing on February 20, 2018 before Judge Cole, colloquy with Applicant, motion granted;**

And, other matters.

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

Another attorney has been appointed to assist undersigned counsel in preparing the Initial Brief in this matter to expedite filing of the Initial Brief of Respondent.

WHEREFORE, for extraordinary circumstances shown, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent until April 9, 2018.

Respectfully Submitted,

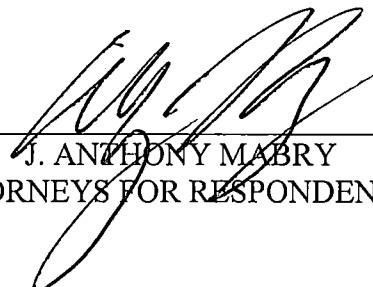
ALAN WILSON  
Attorney General

W. JEFFREY YOUNG  
Chief Deputy Attorney General

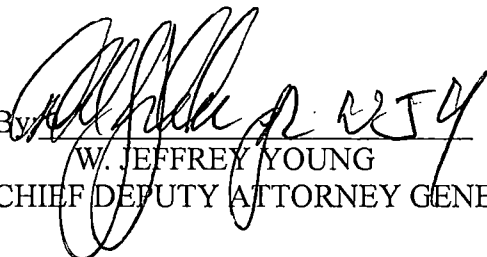
DONALD J. ZELENKA  
Deputy Attorney General

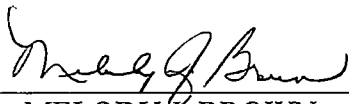
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

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

We support the finding of extraordinary circumstances.

  
By: W. JEFFREY YOUNG  
CHIEF DEPUTY ATTORNEY GENERAL

By:   
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

March 9, 2018.

**STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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

Appellate Case No. 2016-002301

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THE STATE,

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vs.

Gregory Lamont Brooks,

Appellant.

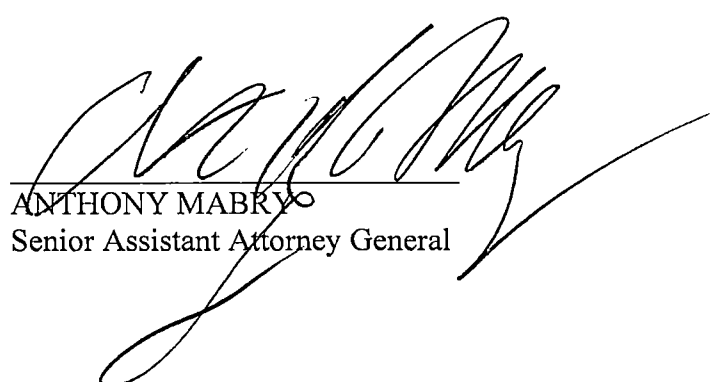
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**PROOF OF SERVICE**

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

This 9<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
ANTHONY MABRY  
Senior Assistant Attorney General



ALAN WILSON  
ATTORNEY GENERAL

March 9, 2018

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

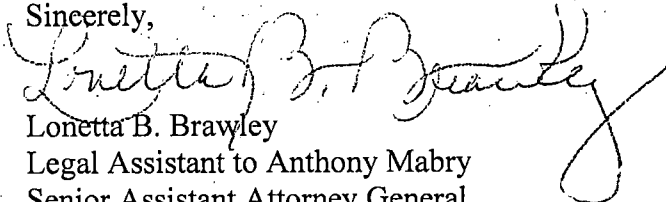
RECEIVED  
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SC Court of Appeals

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

Dear Ms. Kitchings:

Enclosed please find a Motion for Fourth Extension to file the Initial Brief of Respondent in the above-referenced 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

/lbb  
Enclosure

cc: Susan B. Hackett, Esquire