

STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

Appeal from Charleston County
Kristi Lea Harrington, Circuit Court Judge
Appellate Case No. 2011-193507

The State of South Carolina, Respondent,
v.
Leonard Goodwin, Appellant.

**MOTION FOR SECOND 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. The brief is presently due to be filed Monday, December 31, 2012. This is Respondent's second 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 for and participated in two (2) depositions in a capital post-conviction relief action (*Steven Bixby*); prepared the final brief of appellant in another capital case on direct appeal (*Steven Barnes*); completed preparations and participated in a four (4) day evidentiary hearing in Abbeville in one of the previously referenced capital post-conviction relief action, December 10-13, 2012 (*Steven Bixby*); prepared for and attended a status conference in St. Matthews, South Carolina, and a motion hearing in Orangeburg, South Carolina, in another capital case (*William Dickerson*); prepared two orders in the same case from those hearings (*William Dickerson*); prepared and served discovery requests in that same case (*William Dickerson*); attended another status conference and motion hearing in

another capital post-conviction relief action (*Quincy Allen*); prepared and filed an initial brief of respondent in a non-capital murder direct appeal (*Jeffrey Riebe*); prepared and filed a reply to response in opposition to motion for summary judgment in a federal habeas case (*Demetrius Spencer*); and, prepared and filed a supplement to the return in another federal habeas action (*Christopher Francis*).

2. Due to her heavy case load, particularly the above listed capital cases, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal.

THEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent and Designation of Matter.

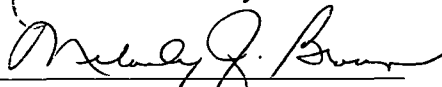
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
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BY: 
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December 28, 2012.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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PROOF OF SERVICE

I, Melody J. Brown, certify that I have served Respondent's *Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter* on Appellant by depositing one copy of same in the United States mail, postage prepaid, to counsel of record, addressed as follows:

Breen Richard Stevens, Appellate Defender
South Carolina Office of Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

This 28th day of December, 2012.


MELODY J. BROWN

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ATTORNEY FOR RESPONDENT