

2nd RIB due 7/25/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUL 27 2018

SC Court of Appeals

Appeal from Anderson County
Honorable R. Lawton McIntosh, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JUSTIN JAMAL WARNER,

APPELLANT

APPELLATE CASE NO. 2017-001313

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

The above-named Respondent, by and through the undersigned attorneys, would respectfully move this Court for a second extension of time within which to file the return or otherwise plead. The response in the above action is due to be served and filed today, July 25, 2018. However, the undersigned counsel for the Respondent will not be able to respond within the allotted time for the following reasons:

1. Counsel prepared and filed the Respondent's Return and Motion for Summary Judgment in the matter of Kenneth Hilton vs. Warden Stephon, 2:18- 962 on June 29, 2018;
2. Counsel prepared the Order of Dismissal in the matter of Stacy Walker, v. State of South Carolina, 2014-CP-41-0066, on July 6, 2018;

3. Counsel prepared and filed the Response to Petitioner's Objections in the matter of Donniel Woods vs. Warden Aaron Joyner, Lee Correctional Institution, C/A 917-03336-TLW on June 11, 2018;

4. Counsel prepared and filed the Return and Motion for Summary Judgment in the matter of Devan Jevon Dwyer vs. Warden Aaron Joyner on July 16, 2018.

5. Counsel prepared and filed proposed Final Order of Dismissal in the matter of Theodore Davis, Jr. vs. State of South Carolina on July 18, 2018.

6. Counsel prepared and filed proposed Order of Dismissal in the Eleventh Circuit post-conviction relief in the matter of Gene Tony Cooper vs. State of South Carolina on July 19, 2018;

7. Counsel has also been reviewing matters due to his involvement as Chairman on the Office of the Attorney General's Appellate Decision Review Committee. The Committee was formed to review all adverse decisions in Capital, Federal Habeas, Direct Appeals, and Post-Conviction relief matters, and to determine whether the State will appeal these rulings. Counsel has reviewed the following matters: State vs. Demetrik Maurice Ceaser, a Florence County direct appeal matter; The State vs. Frederick Reaves, a Marion County direct appeal matter; Corey Brown vs. State of South Carolina, 2014-GS-24-1262, an Greenwood County post-conviction relief matter; Tyrone King v. State, a Marlboro County direct appeal matter; Jeffrey Andrews v. State, a Sumter County direct appeal matter;

8. Due to counsel's involvement in these and other matters pending in state and federal court, counsel for Respondent moves this Court to enlarge the time for filing the response by granting a thirty (30) day extension up to and including Friday, August 24, 2018. This request is made in good faith, and not for the purpose of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
No. 07979

WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

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

By: 
ATTORNEYS FOR RESPONDENT

July 25, 2018.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Anderson County
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THE STATE,

Respondent,

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Appellant

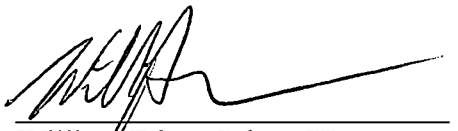
Appellate Case No. 2017-001313.

PROOF OF SERVICE

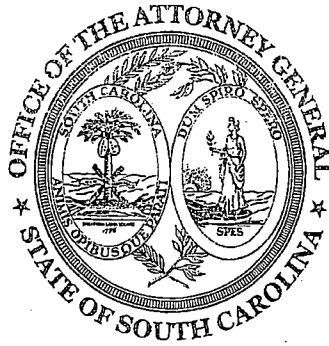
I, William E. Salter, III, counsel for the Respondent, certify that I have served the within *Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter* by depositing two (2) copies of the same via United States Postal Service mail, addressed to his attorney of record at:

Robert M. Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
P.O. Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served. This 25th day of July, 2018.



William Edgar Salter, III
Senior Assistant Attorney General
SC Bar No. 4806



ALAN WILSON
ATTORNEY GENERAL

July 25, 2017

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JUL 27 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 vs. Justin Jamal Warner.
Appellate Case No. 2017-001313

Dear Ms. Kitchings:

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


William Edgar Salter, III
Senior Assistant Attorney General

WES/csm
Enclosures
cc: Robert M. Dudek (w/two copies of encls.)

