

(4)

2nd RFB due 11/7/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

RECEIVED
NOV 07 2018
SC Court of Appeals

THE STATE,

Respondent,

v.

JOHN CHRISTOPHER HART,

Appellant

Appellate Case No. 2017-001291.

**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. This is Respondent's second request for an extension of time in which to file the brief. In support of the request, undersigned counsel for Respondent would respectfully show unto the Court that she has been scheduled to complete a number of state and federal matters in the last thirty (30) days that include, but are not limited to, the following:

1. Drafted and filed a Return to Petition for a Writ of Certiorari in a non-capital murder case in the South Carolina Supreme Court (*State v. Tavarious Settles*);
2. Drafted and filed two Returns and Memoranda in Support of Summary Judgment in Federal Habeas Corpus actions in Federal District Court for the District of South Carolina (*Darryl Frierson*; *Stevie Aiken*); and

3. Drafted and filed four replies and/or other responses to Federal Habeas Corpus filings in Federal District Court (*Steven Otts; Alan Carruthers; Umar Clea*).

Due to her case load, undersigned counsel for Respondent has been unable to complete the initial brief in a timely fashion. Counsel requests the additional time in order to do so.

This is the second request for an extension of time in which to file a response.

WHEREFORE, 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

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

CAROLINE SCRANTOM
Assistant Attorney General

BY:



CAROLINE SCRANTOM
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Columbia, South Carolina 29211
(803) 734-6305

November 7, 2018
Columbia, South Carolina

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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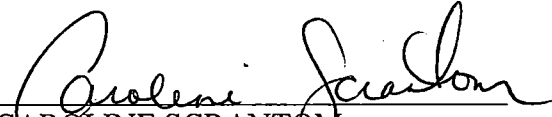
Appellate Case No. 2017-001291.

PROOF OF SERVICE

I, Caroline Scrantom, certify that I have served Respondent's Motion for a Second Extension of Time on counsel for Appellant, by depositing one copy of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

Joanna K. Delany, Esq.
SCCID/Division of Appellate Defense
1330 Lady Street, Suite #401
Columbia, South Carolina 29201

This 7th day of November, 2018.


CAROLINE SCRANTOM
S.C. Bar No. 101357
Post Office Box 11549
Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

November 7, 2018

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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. John Christopher Hart
Appellate Case No. 2017-001291

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,


CAROLINE M. SCRANTOM
Assistant Attorney General

CS/ams
Enclosures

cc: Joanna K. Delany, Esq. (w/two copies of encls.)