

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

Appeal from Spartanburg County
Honorable R. Keith Kelly, Circuit Court Judge

RECEIVED
JAN 14 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANGELITA NICOLE WRIGHT,

APPELLANT.

APPELLATE CASE NO. 2017-002531

**MOTION FOR FOURTH 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 fourth 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, January 14, 2019. Counsel for Respondent has contacted Appellant's counsel, and they have graciously consented to this extension request. However, the undersigned counsel for the Respondent will not be able to respond within the allotted time for the following reasons:

1. Counsel has 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. In the last thirty days, counsel has reviewed the following matters: *State vs. Marie Assa'Ad Faltas, MD*, *MPH v. State of South Carolina*, 2018-CP-40-01798 and 2017-CP-40-6831; *State v. Angela*

Pressley Greene, Appellate Case No. 2018-000066, a Greenville County murder appeal matter; and *State vs. Randy Wright*, Appellate Case No. 2017-002130, a Berkeley County direct appeal matter.

2. Counsel filed the Initial Brief of Respondent in the matter of *The State vs. Jermaine Marquel Bell*, Appellate Case No. 2017-001500, a Chester County murder appeal matter now pending in the South Carolina Court of Appeals on December 13, 2018;

3. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Vincent Missouri, #197996 vs. Randall Williams, Warden*, C/A No. 8:18-2786-MGL-JDA on December 27, 2018;

4. Counsel filed Respondent's Reply to Petitioner's Response Opposing Respondent's Motion for Summary Judgment in the matter of *Alonda Barren Desaussure, #142994 vs. Warden of Lieber Correctional Institution*, C/A No. 2:18-1955-RBH-MGB, also on December 27, 2018;

5. Counsel filed the Status Report in the Capital federal habeas matter of *James Robertson vs. Jon Ozmint*, C/A No. 2:11-00063-TMC-MGB on December 31, 2018;

6. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Gregory Daniels, #297449 vs. Warden of Lee Correctional Institution*, C/A No. 5:18-cv-3064-RMG-KDW on December 8, 2019; and

7. Counsel is filing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Damon Jaques Jones, #250332 vs. Warden Charles Williams*, C/A No. 1:18-cv-2600-HMH-SVH, today, January 14, 2019.

The undersigned would also note that I am now receiving additional assistance with my workload from the Capital Litigation Unit's law clerk, who has just resumed working here following winter break, in an effort to avoid the necessity of any additional extensions.

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 February 13, 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

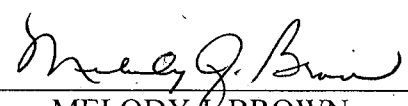
WILLIAM EDGAR SALTER, III
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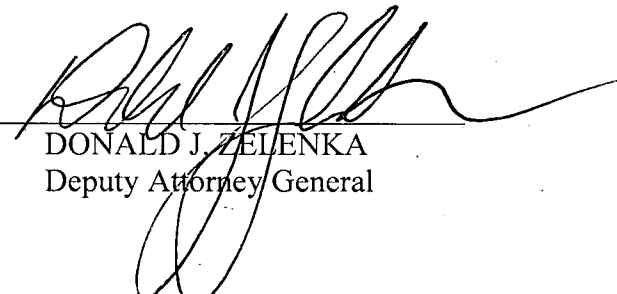
By: 
ATTORNEYS FOR RESPONDENT

January 14, 2018.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

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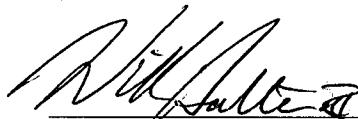
APPELLATE CASE NO. 2017-002531

PROOF OF SERVICE

I, William Edgar Salter, III, counsel for the Respondent, certify that I have served the within Motion for Fourth Extension of Time to File Initial Brief of Respondent on Appellant by depositing two (2) copies of the same via U.S. mail, first class, postage prepaid to her attorneys of record, Jordan C. Calloway, Esq., McGowan, Hood & Felder, LLC, 1539 Health Care Drive, Rock Hill, South Carolina 29732, and to Robert M. Dudek, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

I further certify that all parties required by Rule to be served have been served.

This 14th day of January, 2019.



WILLIAM EDGAR SALTER, III
Office of Attorney General
P. O. Box 11549
Columbia, South Carolina 29211
(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

January 14, 2019

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

RECEIVED
JAN 14 2019
SC Court of Appeals

Re: *The State v. Angelita Nicole Wright*
Appeal from Spartanburg County
Appellate Case No. 2017-002531

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, January 14, 2019. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Motion for Fourth Extension to File Initial Brief of Respondent and Designation of Matter. Counsel for Appellant has consented to this extension request.

Sincerely,

William Edgar Salter, III
Senior Assistant Attorney General

WES:dmd
Enclosures

cc: Jordan C. Calloway, Esq. (w/two copies of encls.)
Robert M. Dudek, Esq. (w/two copies of encls.)