

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County
The Honorable Roger M. Young, Sr., Circuit Court Judge

Appellate Case No. 2017-001950

THE STATE,

Respondent,

vs.

SANTONIO TOREZ WILLIAMS,

Appellant.

RECEIVED
JAN 16 2019
SC Court of Appeals

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

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. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, January 16, 2019, upon this Court's grant of Respondent's second request for an extension filed on December 19, 2018. Specifically,

1. Counsel was out of the office on December 17, 2018 on sick leave;
2. Counsel filed the Respondent's Reply to Petitioner's Response to Motion for Summary Judgment and Motion to Strike in the matter of Bernardo Evans, #361706 vs. Randall Williams, Warden, C/A No. 6:18-1238-JFA-KFM on December 18, 2018;

3. Counsel filed the Respondent's Response to Motion for Stay in Advance Pursuant to Federal Rules of Civil Procedure [ECF #14] in the matter of Termain Cooper, #286396 vs. Warden Aaron Joyner, C/A No. 8:18-2692-RMG-JDA on December 27, 2018;

4. Counsel prepared and submitted the Proposed Order of Dismissal in the Beaufort County Capital Post-Conviction Relief matter of Abdiyyah Ben Alkebulanyahh, #6012, a/k/a Tyree Roberts vs. State of South Carolina, C/A No. 2014-CP-07-2994 on December 28, 2018;

5. Counsel also prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of George Smith, #329531 vs. Aaron Joyner, C/A No. 5:18-2086-HMH-KDW, which is being filed today, Wednesday, January 16, 2019;

6. Counsel has also done a substantial amount of work preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Kevin Wayne McDaniels, #254398 vs. Charles Williams, 1:18-cv-2611-TLW-SVH, which is currently due today, January 16, 2019; and

7. Counsel has completed the Initial Brief of Respondent and Designation of Matter in the case of The State vs. Ricky L. Esaw, a Lexington County murder appeal matter now pending before the South Carolina Court of Appeals. The Initial Brief of Respondent is currently due on February 1, 2019.

However, due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Initial Brief in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General
ID No. 5758

MELODY J. BROWN
Senior Assistant Deputy Attorney General

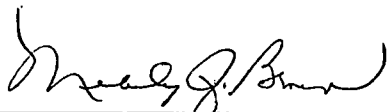
W. JOSEPH MAYE
Assistant Attorney General
I.D. No. 100851

By: 
W. JOSEPH MAYE

ATTORNEYS FOR RESPONDENT

January 16, 2019.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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The Honorable Roger M. Young, Sr., Circuit Court Judge

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THE STATE,

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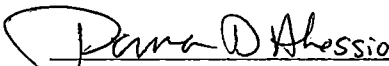
Appellant.

PROOF OF SERVICE

I, W. Joseph Maye, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a third extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to his attorney of record, Tristan M. Shaffer, Esq., P.O. Box 1027, Chapin, South Carolina 29036.

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

This 16th day of January, 2019.


Donna D'Alessio, Legal Assistant to
W. JOSEPH MAYE
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

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ALAN WILSON
ATTORNEY GENERAL

January 16, 2019

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

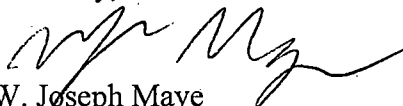
Re: The State vs. Santonio Torez Williams
Appeal from Aiken County
Appellate Case No. 2017-001950

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Third Extension of Time to File Initial Brief of Respondent and Designation of Matter, together with Proof of Service in the above-referenced matter. Counsel for Appellant has graciously consented to this extension via email today.

Thank you for your assistance in this matter.

Sincerely,


W. Joseph Maye
Assistant Attorney General

WJM:dmd
Enclosures

cc: Tristan M. Shaffer, Esq. (w/two copies of encls.)