

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Honorable Perry H. Gravely, Circuit Court Judge

RECEIVED
FEB 28 2019
SC Court of Appeals
Respondent,

THE STATE,

v.

JOHN MICHAEL HUGHES,

Appellant

Appellate Case No. 2017-002539.

**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 to include the following:

1. Participated as first-chair counsel for Respondent a capital post-conviction relief hearing in the South Carolina Circuit Court of Common Pleas in Georgetown County (*Stephen Stanko v. State*—held January 28-29, 2019);
2. Drafted and filed two Returns to Petitions for a Writ of Certiorari in non-capital post-conviction relief matters in the Supreme Court of South Carolina (*David Penn v. State*—

- February 12, 2019; Benjamin Newman v. State—February 19, 2019);*
3. Drafted and filed three Final Briefs of Respondent in this Court (*Mimi Marshall v. State and Jaron Gibbs v. State—February 4, 2019; John Hart v. State—February 21, 2019);*
 4. Drafted and filed two Returns and Memoranda in Support of Summary Judgment in Federal Habeas Corpus actions in the Federal District Court for the District of South Carolina (*Terrill Thompson v. Warden—February 4, 2019; Troy Wright v. Warden—February 22, 2019);*
 5. Drafted and filed another reply and/or response to a Federal Habeas Corpus action pending in Federal District Court for the District of South Carolina (*Darryl Frierson v. Warden—February 5, 2019);* and
 6. Drafted and today filed a Petition for Rehearing in another non-capital murder appeal in this Court (*State v. Trey Chavez Brown—February 28, 2019).*

Due to her caseload, undersigned counsel has been unable to complete the responsive brief in a timely fashion. Counsel requests the additional time in order to do so. Opposing counsel has been consulted and does not oppose this second extension request.

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,

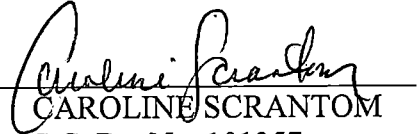
ALAN WILSON
Attorney General

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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ATTORNEY FOR RESPONDENT

February 28, 2019
Columbia, South Carolina

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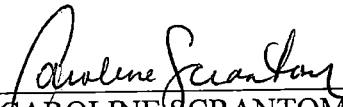
PROOF OF SERVICE

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

Andrew S. Radeker, Esq.
Harrison, Radeker & Smith, P.A.
P.O. Box 50143
Columbia, South Carolina 29250

Robert M. Dudek, Esq.
SCCID Division of Appellate Defense
P.O. Box 11589
Columbia, SC 29211

This 28th day of February, 2019.


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

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

February 28, 2019

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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

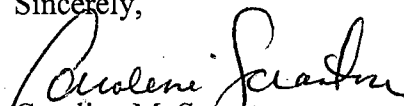
Re: *The State v. John Michael Hughes*
Appeal from Greenville County
Appellate Case No. 2017-002539

Dear Ms. Kitchings:

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

Thank you for your assistance in this matter.

Sincerely,


Caroline M. Scrantom
Assistant Attorney General

CMS:dmd
Enclosures

cc: Drew Radeker, Esq. (w/two copies of encls.)
Robert M. Dudek, Esq. (w/two copies of encls.)
Trisha Allen, Victim Advocacy Division (w/copy of encls.)