

STATE OF SOUTH CAROLINA  
In the Court of Appeals

Appeal from Abbeville County  
The Honorable Frank R. Addy, Jr., Circuit Court Judge

THE STATE,

Respondent,

v.

CHARLES TILLMAN,

Appellant.

Appellate Case No. 2018-000495

**RECEIVED**  
MAR 01 2019  
SC Court of Appeals

**MOTION FOR SECOND 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 to be filed today, Friday, March 1, 2019. Counsel for Respondent has received approval from Appellant's counsel via email this date. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since January 30, 2019. Specifically:

1. Counsel filed the Final Brief of Respondent in the matter of The State vs. Tiffany Ann Sanders, Appellate Case No. 2018-000210, a Dorchester County direct appeal matter on January 30, 2019;

2. Counsel has also spent a significant amount of time assisting in the preparation of the Respondent's proposed Order Granting Respondent's Motion to Dismiss in the capital, Sumter County matter of Bobby Wayne Stone, #5051 vs. The State of South Carolina, C/A No. 2018-CP-43-1025, which was submitted on February 4, 2019;

3. Counsel assisted in the Status Conference in the matter of Anthony Woods vs. State of South Carolina, 2018-CP-14-00382, a Clarendon County Capital matter. The Status Conference was before the Honorable Benjamin H. Culbertson and was held in Georgetown County;

4. Counsel filed the Respondent's Response to Appellant's Motion to Consolidate in the matter of The State vs. Jason Franklin Carver, Appellate Case No. 2017-002011 and Case No. 2016A05324, a direct appeal matter now pending in the South Carolina Court of Appeals on February 15, 2019;

5. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Andrew Brent Scott, #192735 vs. Warden Broad River Correctional Institution, C/A No.: 6:18-3230-BHH-KFM on February 22, 2019;

6. Counsel filed the Initial Brief of Respondent in the matter of The State vs. Timiya R. Massey, a Greenville County direct appeal matter now pending in the South Carolina Court of Appeals on February 27, 2019;

7. Counsel also attended a status conference in the matter of Bobby Wayne Stone vs. State of South Carolina, C/A No. 2018-CP-43-1025, a capital Sumter County capital matter on February 28, 2019 before the Honorable Michael Gary Nettles in York County; and

8. Counsel is currently preparing a Return to the Amended Application for Post-Conviction Relief in the capital post-conviction relief matter of Ricky Lee Blackwell v. State, 2018-CP-42-928, a Spartanburg County capital matter.

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

MELODY J. BROWN,  
Senior Assistant Deputy Attorney General

SAMUEL M. BAILEY  
Assistant Attorney General  
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By:   
SAMUEL M. BAILEY

ATTORNEYS FOR RESPONDENT

March 1, 2019.

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\_\_\_\_\_  
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Appellate Case No. 2018-000495

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**PROOF OF SERVICE**  
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I, **Samuel M. Bailey**, of counsel for the Respondent, certify that I have served two (2) copies of the within Motion for a Second Extension of time to file Initial Brief of Respondent and Designation of Matter via U.S. mail, postage prepaid, to his attorney of record, E. Charles Grose, Esq., The Grose Law Firm, LLC, 404 Main Street, Greenwood, South Carolina 29646.

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

This 1<sup>st</sup> day of March, 2019.

  
SAMUEL M. BAILEY  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305



ALAN WILSON  
ATTORNEY GENERAL

March 1, 2019

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

Re: *The State v. Charles Tillman*  
Appeal from Abbeville County  
Appellate Case No. 2018-000495

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.

Thank you for your assistance in this matter.

Sincerely,

Samuel M. Bailey  
Assistant Attorney General

SMB/dmd  
Enclosures

cc: E. Charles Grose, Esq. (w/two copies of encls.)

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MAR 01 2019  
SC Court of Appeals

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