

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Laurens County
The Honorable Donald B. Hocker, Circuit Court Judge

THE STATE,

Respondent,

v.

ARTHUR JASON BOWERS,

RECEIVED
APR 22 2019
Appellate SC Court of Appeals

Appellate Case No. 2018-000868

**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. Opposing counsel has graciously consented to the request. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, April 22, 2019 as per this Court's Order dated March 22, 2019 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since March 22, 2019. Specifically,

1. Counsel filed the Respondent's Amended Motion for Summary Judgment, and Amended Return and Memorandum of Law in Support of Amended Motion for Summary Judgment, per Order, which were filed electronically in the matter of George Williams v. Randall Williams, Warden, C/A No. 9:18-3031-DCN-BM on March 28, 2019;

2. Counsel filed the Reply to Response in Opposition to Motion for Summary Judgment in the federal habeas matter of Curtis Brent Gorny vs. Randall Williams, Warden of Lieber Correctional Institution, C/A No. 9:18-cv-3444-RMG-BM, on March 29, 2019;

3. Counsel prepared for and argued the matter of The State vs. Michael J. Finley, before the South Carolina Court of Appeals, Appellate Case No. 2016-002480, a Greenville County murder appeal on April 2, 2019;

4. Counsel prepared for and argued the matter of The State vs. Anthony M. Enriquez, before the South Carolina Court of Appeals, Appellate Case No. 2016-002480, a Charleston County murder appeal, also on April 2, 2019;

5. Counsel filed the Respondent's Motion for Summary Judgment and Return and Memorandum of Law in Support of Motions for Summary Judgment in the matter of Keith Letmon, #214137 vs. Warden, McCormick Correctional Institution, C/A No. 4:19-78-TLW-TER on April 3, 2019;

6. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #13] in the matter of David Anthony Tyre, #343149 vs. Scott Lewis, Warden C/A No. 4:19-23-TMC-TER on April 5, 2019;

7. Counsel filed an Amended Motion for Summary Judgment, Amended Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Louis Sanders, #164301 vs. Warden, Perry Corr. Inst. C/A No. 9:18-2783-MGL-BM on April 5, 2019,

8. Counsel filed the Initial Brief of Respondent and Designation of Matter, in the matter of The State v. Cory Sparkman, Appellate Case No. 2018-000172, a Charleston County murder appeal matter on April 10, 2019;

9. Counsel also prepared the Return to Petition for Writ of Certiorari in the matter of The State v. Marcus Channing Johnson, Appellate Case No. 2019-000443, a Pickens County murder appeal matter due to be filed today, April 22, 2019; and

10. Counsel has also spent a significant amount of time researching, preparing, and assisting in the writing of the State's Proposed Order in the matter of Jerry Buck Inman, #5256 vs. State of South Carolina, 2012-CP-39-918, a Pickens County capital post-conviction relief matter;

Due to counsel's involvement in these and other matters, counsel is unable to timely complete the Initial Brief of Respondent.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

SHERRIE A. BUTTERBAUGH
Assistant Attorney General
No. 101477

Post Office Box 11549

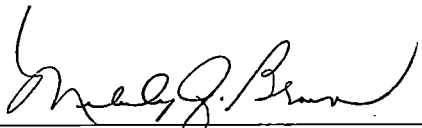
Columbia, South Carolina 29211
(803) 734-6305

By: 

SHERRIE A. BUTTERBAUGH
ATTORNEYS FOR RESPONDENT

April 22, 2019.

I support the finding of good Cause

By: 

Melody Jane Brown
Senior Assistant Deputy Attorney General

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Laurens County
The Honorable Donald B. Hocker, Circuit Court Judge

RECEIVED

APR 22 2019

SC Court of Appeals

THE STATE,

Respondent,

v.

ARTHUR JASON BOWERS,

Appellant.

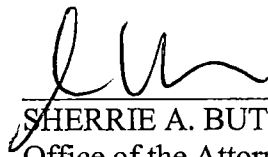
Appellate Case No. 2018-000868

PROOF OF SERVICE

I, Sherrie A. Butterbaugh, of counsel for the Respondent, certify that I have served two (2) copies of the motion for a third extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to Appellant's attorney of record, Susan B. Hackett Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Ste. #401, Columbia, South Carolina 29201.

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

This 22nd day of April, 2019.



SHERRIE A. BUTTERBAUGH
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

April 22, 2019

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

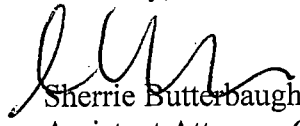
Re: *The State v. Arthur Jason Bowers*
Appeal from Laurens County
Appellate Case No. 2018-000868

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Third 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,



Sherrie Butterbaugh
Assistant Attorney General

RECEIVED

APR 22 2019

SC Court of Appeals

SB:bbr

Enclosures

cc: Susan B. Hackett, Esq. (w/two copies of encls.)