

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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MAY 01 2019

SC Court of Appeals

THE STATE,

Respondent,

v.

JOHN MICHAEL HUGHES,

Appellant

Appellate Case No. 2017-002539

**MOTION FOR FOURTH 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 fourth and final 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, but not limited to, the following:

1. In the United States District Court for the District of South Carolina, undersigned counsel drafted and filed a Return and Memorandum of Law in Support of Motion for Summary Judgment in the matters of Tequan L. Brown, #341915 vs. Charles Williams, C/A No. 0:19-228-TMC-PJG (filed April 8, 2019); and Lynel Witherspoon, #254076 vs. Donnie Stonebreaker, Warden of Evans Correctional Institution, C/A No. 8:19-00336-HMH-JDA (filed April 25,

2019); and drafted and filed a Reply to Petitioner's Response in Opposition to Motion for Summary Judgment in the matter of Troy M. Wright, #244763 vs. Charleston County, C/A No. 2:18-3529-HMH-MGB (filed April 8, 2019).

2. Also in the United States District Court for the District of South Carolina, undersigned counsel drafted and filed two pleadings in capital cases: a Reply to Objections to the Report and Recommendation in Steven Vernon Bixby, #6024 vs. Bryan Stirling, et al., C/A No. 4:17-954-BHH-TER (filed April 9, 2019); and a Motion to Alter or Amend Judgment Pursuant to Fed. R. Civ. Pro. 59(e) in the matter of James N. Bryant, III, #6001 vs. Brian P. Stirling, et al., C/A No. 1:13-2665-BHH-SVH (filed April 16, 2019).

3. Counsel filed the Petition for Writ of Certiorari and Appendix in the matter of State vs. Trey C. Brown, Appellate Case No. 2019-00065, an Abbeville County non-capital murder appeal now pending in the South Carolina Supreme Court (filed April 18, 2019); and

4. Counsel also appeared in the Eleventh Judicial Circuit as first-chair counsel on behalf of the State of South Carolina in a post-conviction relief evidentiary hearing regarding a non-capital murder conviction, Gonzales Wardlaw v. State, 2015-CP-32- 02990 (April 3-4, 2019 in Lexington County).

Due to her caseload, undersigned counsel has substantially completed but has been unable to perfect the Initial Brief of Respondent in a timely fashion. Additionally, on Tuesday, April 30, 2019, counsel for Respondent received for review a DVD from the Greenville County Clerk of Court's Office containing State's Exhibit 83, an exhibit relied upon by Appellant but not designated in his designation of matter. Respondent has previously viewed other trial exhibits deemed relevant to completion of the initial brief.

This is the fourth and final request for an extension in which to file the Initial Brief. Undersigned counsel has consulted with opposing counsel in this action, who consents to the

request for additional time.

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.

[signature block on following page]


Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

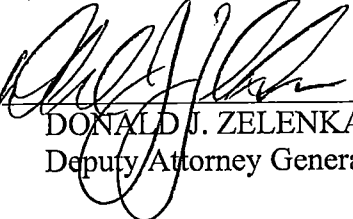
CAROLINE SCRANTOM
Assistant Attorney General

By: 
CAROLINE SCRANTOM
S.C. Bar No. 101357
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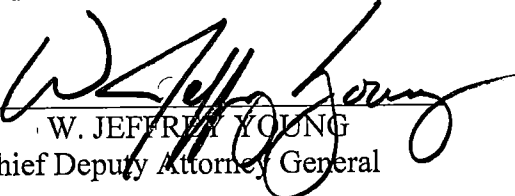
ATTORNEY FOR RESPONDENT

May 1, 2019.
Columbia, South Carolina

I support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

I too support the finding of good cause.

By: 
W. JEFFREY YOUNG
Chief Deputy Attorney General

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PROOF OF SERVICE

I, Caroline Scrantom, certify that I have served Respondent's Motion for a Fourth 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
1330 Lady Street, Suite 401
Columbia, SC 29201

This 1st day of May, 2019.


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

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

May 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. John Michael Hughes
Appeal from Greenville County
Appellate Case No. 2017-002539

Dear Ms. Kitchings:

Enclosed for filing in your office is the original and six (6) copies of Respondent's Motion for Fourth Extension of Time to File Initial Brief of Respondent and Designation of Matter along with the Certificate of Service in the above-referenced case

Thank you for your assistance in this matter.

Sincerely,

Caroline Scrantom
Assistant Attorney General

CS/dmd
Enclosures

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

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