

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County  
The Honorable Deadra L. Jefferson, Circuit Court Judge

Appellate Case No. 2018-000115

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THE STATE,

Respondent,

vs.

MONTRELLE LAMONT CAMPBELL,

Appellant.

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

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

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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, May 1, 2019, upon this Court's grant of Respondent's second request for an extension filed on March 29, 2019. Counsel for Appellant has graciously consented to this extension request. Specifically,

1. Counsel filed the Respondent's Response to Motion for Temporary Restraining Order, or in the Alternative, a Preliminary Injunction & Response to Motion for Leave to Conduct Discovery, and Respondent's Motion to Hold Future Motions in Abeyance, and to TEXT Order [ECF #46], in the matter of Darrell L. Goss, #305517 vs. Warden Charles Williams,

C/A No. 2:18-2938-BHH-MGB on April 4, 2019;

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of John Wayne Brannon, #209650 vs. Warden Williams, C/A No. 4:18-3321-DCC-TER on April 8, 2019;

3. Counsel filed Respondent's Response in Opposition to Petitioner's Various Pending Motions and Respondent's Motion to Hold All Current and Future Motions in Abeyance in the matter of Kevin Wayne McDaniels, #254398 vs. Charles Williams, Warden, C/A 1:18-cv-2611-TLW-SVH on April 9, 2019;

4. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Samuel Brown, Jr., #254907 vs. State of South Carolina, C/A No. 0:18-3250-DCC-PJG on April 12, 2019;

5. Counsel filed Respondent's Status Report as per ECF #53 in the matter of Darrell L. Goss, #305517 vs. Warden Charles Williams, C/A No. 2:18-2938-BHH-MGB, also on April 12, 2019;

6. Counsel filed the Respondent's Fifth Status Report as per ECF #60 in the matter of Darrell L. Goss, #305517 vbs. Warden Charles Williams, C/A No. 2:18-2938-BHH-MGB on April 30, 2019;

7. Counsel for Respondent has worked diligently to review the extensive state court record in the matter of Marion Bowman, Jr., #6006 vs. Bryan Stirling, Director, SCDC, and Willie D. Davis, Warden Kirkland Correctional Institution, C/A No. 9:18-287-TLW-BM, a Dorchester County capital matter now pending in the United States District Court for the District of South Carolina which is currently due to be filed on Friday, May 10, 2019. At this point,

counsel has completed a substantial portion of the Respondent's Return and Memorandum of Law in Support of Motion for Summary Judgment;

8. Counsel is also currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Bryan Byrd, #305294 vs. Michael Stephan, Warden, C/A No. 2:18-3256-HMH-MGB, which is currently due to be filed on Friday, May 3, 2019 and no further extensions will be granted; and

9. Counsel for Respondent was out of the office due to an unexpected death in his family.

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

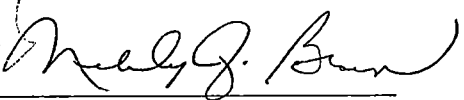
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

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

May 1, 2019.

By:   
W/ JOSEPH MAYE  
ATTORNEYS FOR RESPONDENT

I support the finding of good cause.

By: 

MELODY J. BROWN

Senior Assistant Deputy Attorney General

STATE OF SOUTH CAROLINA  
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PROOF OF SERVICE

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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, Lara M. Caudy, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

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

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

  
W. JOSEPH MAYE  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305



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

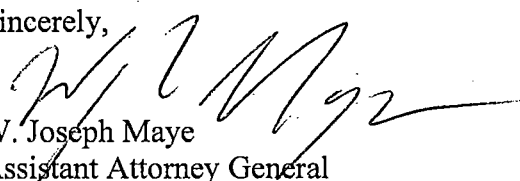
Re: *The State v. Montrelle Lamont Campbell*  
Appeal from Charleston County  
Appellate Case No. 2018-000115

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 request.

Thank you for your assistance in this matter.

Sincerely,

  
W. Joseph Maye  
Assistant Attorney General

WJM:dmd  
Enclosures

cc: Lara M. Caudy, Esq. (w/two copies of encls.)

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