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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
The Honorable Letitia H. Verdin, Circuit Court Judge

RECEIVED
MAY 03 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JOHN MCCARTY,

APPELLANT,

Appellate Case No. 2017-002377

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

Respondent, the State, moves this Court for an extension for an additional fourteen (14) days in which to file the Initial Brief of Respondent and Designation of Matter. This is Respondent's sixth request for an extension of time in which to file the brief. The appeal was reassigned to undersigned counsel to assist with the workflow in the Capital Litigation Division. In support of the request, undersigned counsel would respectfully show the Court:

1. Counsel filed the Initial Brief of Respondent and Designation of Matter in the case of The State v. General Little, Appellate Case No. 2018-000561, a Charleston County direct appeal matter on April 5, 2019;

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Anthony Chapman, #251075 v. Barry Tucker, Warden, C/A No. 6:19-cv-404-RMG-KFM on April 5, 2019;

3. Counsel filed the Initial Brief of Respondent and Designation of Matter in the case of The State v. Gregory Sanders, Appellate Case No. 2018-000911, a Hampton County direct appeal matter on April 29, 2019;

4. Counsel is currently working on the Initial Brief of Respondent and Designation of Matter in the above matter, The State v. John McCarty, Appellate Case No. 2017-002377. Counsel has made this appeal a priority and believes the brief and designation of matter can be served and filed within the requested fourteen (14) days.

Due to counsel's involvement in these and other matters pending in-state and federal court, counsel has been unable to timely complete the brief in this proceeding and would request a fourteen (14) day extension within which to do so. This request is made in good faith, and not for the purpose of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a fourteen (14) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully submitted,

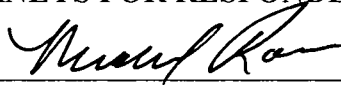
ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

MICHAEL D. ROSS
Assistant Attorney General
ATTORNEYS FOR RESPONDENT

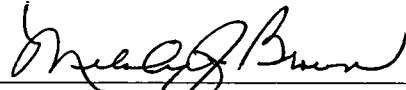
By:



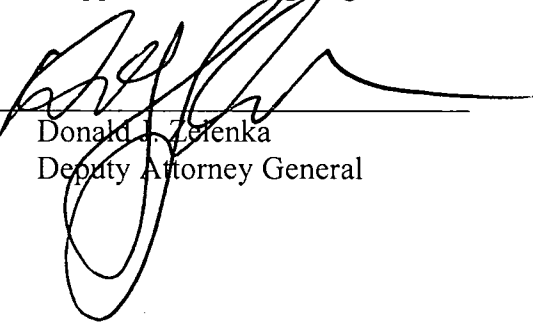
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211

May 3, 2019.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of good cause.

By: 
Donald J. Zelenka
Deputy Attorney General

STATE OF SOUTH CAROLINA
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CERTIFICATE OF SERVICE

I, Angela Bennett, certify that I have served Respondent's Motion for a Sixth Extension of Time on counsel for Appellant, by depositing two copies of same in the United States mail, postage prepaid, to counsel for appellant, addressed as follows:

Susan B. Hackett, Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 3rd day of May, 2019.



ANGELA BENNETT
Administrative Coordinator

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

May 3, 2019

RECEIVED
MAY 03 2019
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 McCarty*
Appeal from Pickens County
Appellate Case No. 2017-002377

Dear Ms. Kitchings:

Enclosed for filing in your office is the original and six (6) copies of Respondent's Motion for Sixth 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,

Angela Bennett
Legal Assistant to Michael D. Ross
Assistant Attorney General

MDR/ab
Enclosures

cc: Susan B. Hackett, Esquire
Victim Advocacy Division