

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

Appellate Case No. 2018-000115

THE STATE,

Respondent,

vs.

MONTRELLE LAMONT CAMPBELL,

Appellant.

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MAY 31 2019
SC Court of Appeals

**MOTION FOR FOURTH 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 today, May 31, 2019, upon this Court's grant of Respondent's third request for an extension filed on May 1, 2019. Counsel for Appellant has graciously consented to this extension request. Specifically,

1. Counsel filed Respondent's Reply to Petitioner's Various Motions (ECF #s 60, 61 & 62) in the matter of Kevin Wayne McDaniels, #254398 v. Charles Williams, Warden, C/A No. 1:18-2611-TLW on May 2, 2019;

2. Respondent filed a Response to Motion to Strike [ECF #64] in the matter of Darrell L. Goss, #305517 vs. Warden Charles Williams, C/A No. 2:18-2938-BHH-MGB on May 3, 2019;

3. Counsel prepared and filed 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, also on May 3, 2019;

4. Counsel filed the Respondent's Response to Motions to Amend [ECF #s 35 and 42] in the matter of Kevin Gilliard, #27537 vs. Warden Joyner, C/A No. 6:18-2417-MGL-KFM on May 6, 2019;

5. Respondent filed a Reply to Response to Report and Recommendation [ECF #69] in the matter of Darrell L. Goss, #305517 vs. Warden Charles Williams, C/A No. 2:18-2938-BHH-MGB, also on May 6, 2019;

6. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Marion Bowman, #6006 vs. Bryan Stirling, et al., C/A No. 9:18-00287-TLW-BM, a Dorchester County capital matter now pending in the United States District Court for the District of South Carolina on May 10, 2019;

7. Counsel filed the Final Brief of Respondent in the matter of The State vs. Santonio T. Williams, Appellate Case No. 2017-001950, an Aiken County murder appeal matter now pending in the South Carolina Court of Appeals on May 22, 2019; and

8. Counsel filed the Initial Brief of Respondent and Designation of Matter in the matter of The State vs. Demontay Markeith Payne, Appellate Case No. 2017-002014, a Barnwell County murder appeal matter on May 28, 2019.

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

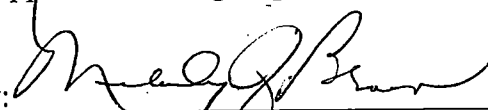
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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

By: 
W. JOSEPH MAYE
ATTORNEYS FOR RESPONDENT

May 31, 2019.

I support the finding of good cause.

By: 
MELODY J. BROWN,
Senior Assistant Deputy Attorney General

I too support the finding of good cause.

By: _____

W. JEFFREY YOUNG
Chief Deputy Attorney General

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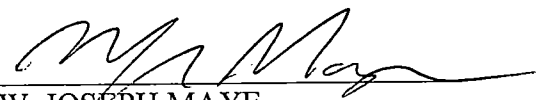
SC Court of Appeals

PROOF OF SERVICE

I, **W. Joseph Maye**, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a fourth extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail, postage prepaid, and addressed 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 31st 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 31, 2019

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

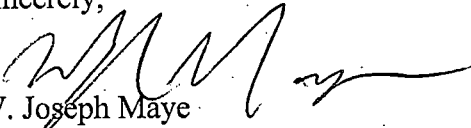
Re: *The State v. Montrelle Lamont Campbell*
Appeal from Charleston County
Appellate Case No. 2018-000115

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Fourth 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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MAY 31 2019

SC Court of Appeals