

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Aiken County
Honorable Brooks P. Goldsmith, Circuit Court Judge
Appellate Case Tracking No. 2017-002603

RECEIVED
JUN 12 2019
SC Court of Appeals

The State,

Respondent,

vs.

Wayne Cordaro Hankinson,

Appellant.

**MOTION FOR FOURTH EXTENSION
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on June 12, 2019.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a **fourth** extension in the above-referenced appeal and asks for an additional thirty days to complete the Brief in this case. In the past few weeks, the undersigned counsel has participated in oral argument before the South Carolina Supreme Court in State v. Pradubsri, State v. McCall, and State v. Moore. Additionally, the undersigned is preparing for

oral argument in State v. Cotton. Further, the undersigned completed a brief in State v. Brewer, a Petition for Rehearing in State v. Hamrick, and Returns to Petition for Writ of Certiorari in Cobb v. State, Lopez v. State, Gorman v. State, and Foster v. State. Finally, the undersigned was out of town presenting at the South Carolina Summary Court Judge's Association seminar.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances, including the significant work in other cases as well as the undersigned's recent time off for the birth of his son, and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner without need for further extension. However, the undersigned counsel has not yet been able to finish the Brief. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

IV.


Before filing this extension request, the undersigned consulted with counsel for Appellant about the matter, and counsel for Appellant has graciously indicated he does not oppose the State's request for an additional extension.

WHEREFORE, Respondent prays the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days from the date relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

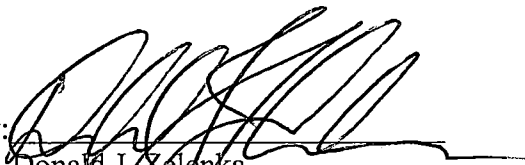
ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

By: 

William M. Blich, Jr.
SC Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3737

We have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

June 12, 2019

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PROOF OF SERVICE

I, Troyeshi Brailey, certify I have served the within Motion for Fourth Extension on Appellant by depositing copies of the same in the United States mail, postage prepaid, addressed to:

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 12th day of June, 2019.



Troyeshi Brailey
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

June 12, 2019

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

RE: The State v. Wayne Cordaro Hankinson
Appellate Case No: 2017-002603

Dear Mr. Dudek:

Enclosed please find two copies of the Motion for Fourth Extension to Serve and File Initial Brief of Respondent and Designation of Matter in the above case.

Sincerely,

William M. Blich, Jr.
Senior Assistant Deputy Attorney General
S.C. Bar No: 15608

WMB/tb
Enclosures

cc: The Honorable Jenny A. Kitchings
(original and 6 enclosed)
Victim Advocacy Division

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