

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
The Honorable Robin B. Stilwell, Circuit Court Judge

RECEIVED

JUN 14 2019

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JAHRU HAROLD SMITH,

APPELLANT.

Appellate Case No. 2018-000505

**MOTION FOR THIRD 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 sixty (60) days in which to file the Initial Brief of Respondent and Designation of Matter. This is Respondent's third request for an extension of time in which to file the brief. In support of the request, undersigned counsel would respectfully show the Court:

1. Counsel has been ordered by the State of South Carolina Military Department-Office of the Adjutant General for annual training at Fort Dix, New Jersey from June 16, 2019 until June 29, 2019:

2. Counsel filed the Initial Brief of Respondent and Designation of Matter in the case of *The State v. John McCarty*, Appellate Case No. 2017-002377, A Pickens County direct appeal matter which was reassigned to undersigned counsel to assist with workflow of the Capital Litigation Division on May 17, 2019;

3. Counsel prepared and submitted the Final Brief of Respondent in the matter of *The State v. Gregory Sanders*, Appellate Case No. 2018-000911, a Hampton County direct appeal matter on May 24, 2019;

4. Counsel prepared and submitted the Final Brief of Respondent in the matter of *The State v. General T. Little*, Appellate Case No. 2018-000561, a Charleston County direct appeal matter on May 31, 2019; and

5. Counsel is currently working on the Return in the above matter of *Clinton Folkes v. Warden Nelson*, C/A No: 2:19-cv-760-RMG-MGB, a Richland County matter currently pending in the U.S. District Court-District of South Carolina.

In light of counsel's upcoming military assignment and involvement in these and other matters pending in state and federal court, the undersigned respectfully request a sixty (60) day extension within which to serve and file the Initial Brief of Respondent and Designation of Matter. Respondent would not normally make this request, however, under the discreet circumstances, this request is made in good faith, and not for the purpose of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a sixty (60) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

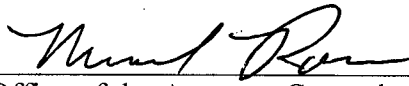
Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

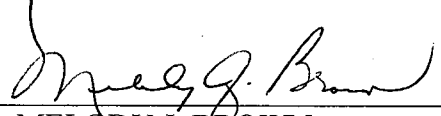
MICHAEL D. ROSS
Assistant Attorney General
S.C. Bar # 73986

By: 
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Telephone: (803) 734-6305

June 14, 2019.

ATTORNEYS FOR RESPONDENT

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUN 14 2019

Appeal from Greenville County
The Honorable Robin B. Stilwell, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JAHRU HAROLD SMITH,

APPELLANT.

Appellate Case No. 2018-000505

CERTIFICATE OF SERVICE

I, Angela Bennett, certify that I have served Respondent's Motion for a Third 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:

Kathrine H. Hudgins, Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

This 14th day of June, 2019.



ANGELA BENNETT
Administrative Coordinator

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



ALAN WILSON
ATTORNEY GENERAL

June 14, 2019

RECEIVED

JUN 14 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. Jahru Harold Smith*
Appeal from Greenville County
Appellate Case No. 2018-000505

Dear Ms. Kitchings:

Enclosed for filing in your office is the original and six (6) copies of Respondent's Motion for Third 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: Kathrine H. Hudgins, Esquire
Victim Advocacy Division