

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED  
JUN 27 2019  
SC Court of Appeals

Appeal from Horry County  
Honorable Benjamin H. Culbertson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RICKEY WADDELL WILSON,

APPELLANT.

APPELLATE CASE NO. 2018-000146

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

The above-named Respondent, by and through the undersigned attorneys, would respectfully move this Court for a second extension of time within which to file the Initial Brief of Respondent and Designation of Matter. The Brief in the above action is due to be served and filed today, June 27, 2019. The undersigned counsel for the Respondent will not be able to respond within the allotted time for the following reasons:

1. Counsel has been reviewing matters due to his involvement as Chairman on the Office of the Attorney General's Appellate Decision Review Committee. The Committee was formed to review all adverse decisions in Capital, Federal Habeas, Direct Appeals, and Post-Conviction Relief matters, and to determine whether the State will appeal these rulings. In the last thirty days, counsel has reviewed the following matters: On May 31, 2019, *Jason Gourdine v. The State*, C/A No. 2018-CP-08-1056, a Berkeley County post-conviction relief matter. On June 7, 2019, *Terrence Cunningham v. The State*, C/A No. 2018-CP-40-2745, a Richland County

post-conviction relief matter. On June 21, 2019, *The State vs. Billy Lemurces Taylor*, Appellate Case No. 2016-000549, a Greenville County direct appeal matter; *State v. Danny Jame Plumley*, 2017-CP-23-04936, a Greenville County matter; and *Ron O'Neal Finklea, SK 6025 vs. State of South Carolina*, 2010-CP-32-5076, a Lexington County capital matter.

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Leonard B. Goodwin v. Aaron S. Joyner, Warden, C/A No. 1:19-cv-960-MGL-SVH on June 5, 2019;

3. Counsel prepared and filed the Record on Appeal in the matter of The State v. M'Andre Cochran, Appellate Case No. 2018-001023, a Georgetown County direct appeal matter on June 6, 2019;

4. On June 20, 2019, counsel submitted the proposed Order of Dismissal in the matter of Henry Gray v. The State, C/A No. 2014-CP-40-4139, a Richland County post-conviction relief matter; and

5. Counsel is currently working on the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Trevee Gethers, #343706 vs. Bryan Stirling and Randall Williams, C/A No. 1:19-cv-1088-TMC-SVH.

Due to counsel's involvement in these and other matters pending in state and federal court, counsel for Respondent moves this Court to enlarge the time for filing the Initial Brief of Respondent and Designation of Matter by granting a thirty (30) day extension up to and including July 29, 2019. This request is made in good faith, and not for the purpose of delay.

Respectfully Submitted,


ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
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By:   
WILLIAM EDGAR SALTER, III  
ATTORNEYS FOR RESPONDENT

June 27, 2019.

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**PROOF OF SERVICE**

I, William Edgar Salter, III, counsel for the Respondent, certify that I have served the within Motion for Second Extension of Time to File Initial Brief of Respondent on Appellant by depositing two (2) copies of the same via U.S. mail, first class, postage prepaid to his attorney of record, Robert M. Dudek, 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 27<sup>th</sup> day of June, 2019.



WILLIAM EDGAR SALTER, III  
Office of Attorney General  
P. O. Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

June 27, 2019

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

Re: *The State v. Rickey Waddell Wilson*  
Appeal from Horry County  
Appellate Case No. 2018-000146

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed tomorrow, Thursday, June 27, 2019. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Motion for Second Extension to File Initial Brief of Respondent and Designation of Matter. By copy of this letter I am advising counsel for Appellant of this extension request.

Sincerely,

William Edgar Salter, III  
Senior Assistant Attorney General

WES:dmd  
Enclosures  
cc: Robert M. Dudek, Esq. (w/two copies of encls.)

**RECEIVED**

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