

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County
Honorable Kristi Lea Harrington, Circuit Court Judge

RECEIVED
AUG 14 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

EDWARD ISALAH NELSON,

APPELLANT.

APPELLATE CASE NO. 2018-000980

MOTION FOR ONE-WEEK 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 one-week 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, August 14, 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 July 19, 2019, *Anthony Marquese Martin v. The State*, Appellate Case No. 2016-002458, a Aiken County post-conviction relief matter; and *Jason Gourdine v. The State*, C/A 2018-CP-08-1056, a Berkeley

County post-conviction relief matter. On August 2, 2019, *Broderick Seay v. Sheriff Al Cannon*, C/A No: 18-7242, a federal habeas matter currently pending in the United States Supreme Court; *Derrick Fishburne v. The State*, Appellate Case No. 2016-002385, a Colleton County post-conviction relief matter; *The State v. James Scott Cross*, Appellate Case No. 2013-002596, an Abbeville County direct appeal matter; and *State v. Shane Adam Burdette*, Appellate Case No. 2017-001990, an Oconee County direct appeal matter. On August 9, 2019, *The State v. Gary Lott*, Appellate Case No. 2013-000494, a Greenwood County direct appeal matter; *The State v. Joseph Bowers*, Appellate Case No. 2014-002176, a Beaufort County direct appeal matter; and *Vladimir Pantovich v. The State*, Appellate Case No. 2017-000280, a Georgetown County post-conviction relief matter.

2. On July 19, 2019, counsel file the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Henry J. Dukes, #347324 v. Warden, Lee Correctional Institution, C/A No. 4:19-cv-1211-TMC-TER;

3. On August 2, 2019, counsel served and file the Initial Brief of Respondent and Designation of Matter in The State v. Rickey Waddell Wilson, Appellate Case No. 2018-000146, a Horry County direct appeal matter; and

4. On August 2, 2019, counsel prepared and submitted a Response Opposing Motion to Alter or Amend Judgment in the matter of *Anthony Woods v. State of South Carolina*, C/A No. 2018-CP-14-00382, a Clarendon County post-conviction relief matter.

Counsel is currently working on the brief and has done substantial work on the brief and anticipate on filing the brief within the requested time frame.

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 one-week extension up to and including August 21, 2019. This request is made in good faith, and not for the purpose of delay.

Respectfully Submitted,

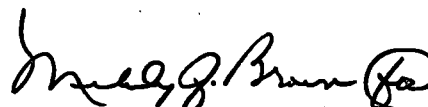
ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
No. 07979

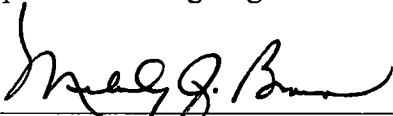
WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 3710

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

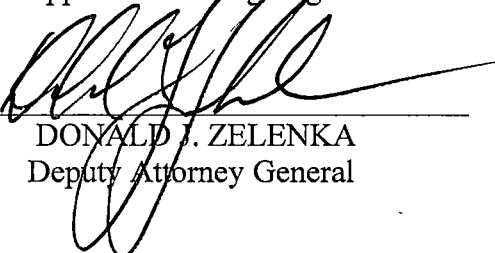
By: 
WILLIAM EDGAR SALTER, III
ATTORNEYS FOR RESPONDENT

August 14, 2019.

I support the finding of good cause.

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

I also support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

I also support the finding of good cause.

By: 
W. JEFFREY YOUNG
Chief Deputy Attorney General

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County
The Honorable Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

EDWARD ISAAH NELSON,

APPELLANT.

Appellate Case No. 2018-000980

RECEIVED
AUG 14 2019
SC Court of Appeals

CERTIFICATE OF SERVICE

I, Angela Bennett, certify that I have served Respondent's Motion for a One-Week 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 14th day of August, 2019.



ANGELA BENNETT
Administrative Coordinator

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



ALAN WILSON
ATTORNEY GENERAL

August 14, 2019

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

RECEIVED
AUG 14 2019
SC Court of Appeals

Re: *The State v. Edward Isaiah Nelson*
Appeal from Berkeley County
Appellate Case No. 2018-000980

Dear Ms. Kitchings:

Enclosed for filing in your office is the original and six (6) copies of Respondent's Motion for One-Week 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 Walter Edgar Salter, III
Senior Assistant Attorney General

WES/ab
Enclosures

cc: Susan B. Hackett, Esquire
Victim Advocacy Division