

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Horry County
The Honorable Thomas W. Cooper, Jr., Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

Respondent,

v.

MELEKE Da'SHAWN STEWART,

Appellate Case No. 2018-001916

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OCT 11 2019
Appellate 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. Opposing counsel was informed of the request via email and graciously consented to this fourth extension request. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter is due today, Friday, October 11, 2019, as per this Court's Order dated September 13, 2019, granting Respondent's third extension request. Counsel was reassigned this matter on September 20, 2019 due to prior counsel's transfer to another position in the Agency. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since September 11, 2019. Specifically,

1. Counsel filed the Final Brief of Respondent in the matter of The State vs. Jane Katherine Hughes, Appellate Case No. 2018-000659, a Greenville County murder appeal on September 23, 2019;

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Daryl Leon Gray, #317285 v. Warden Broad River Correctional Institution, C/A No. 6:19-1932-MGL-KFM on September 24, 2019;

3. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Eugene Thomas, #222351 vs. Warden of McCormick Correctional Institution, C/A No. 1:19-2176-MBS-SVH on September 26, 2019;

4. Counsel filed the Initial Brief of Respondent in the matter of The State vs. Richard Passio, Jr., Appellate Case No. 2018-001488, a murder appeal from Jasper County on October 9, 2019;

5. Counsel also filed the Final Brief of Respondent in the matter of The State vs. John Michael Hughes, Appellate Case No. 2017-002539 a Greenville County murder appeal matter on October 10, 2019;

6. On September 27, 2019, October 3, 2019 and October 4, 2019, counsel has been reviewing thousands of pages of discovery in order to facilitate additional production and completion of the evidentiary hearing in the matter of Norman Starnes v. State, C/A 2011-CP-32-00830, a capital post-conviction relief action which is awaiting an evidentiary hearing in the South Carolina Circuit Court; and

7. Counsel is also preparing for oral argument in the matter of The State vs. Tavarious Settles, Appellate Case No. 2018-001662 which is scheduled before the South Carolina Supreme Court on Tuesday, October 15, 2019.

Due to counsel's involvement in these and other matters, counsel is unable to timely

complete the Initial Brief of Respondent.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,


ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

CAROLINE SCRANTOM
Assistant Attorney General
No. 101357

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

By: 
CAROLINE SCRANTOM
ATTORNEYS FOR RESPONDENT

October 11, 2019.

I 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

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PROOF OF SERVICE

I, Caroline Scramtom, of counsel for the Respondent, certify that I have served two (2) copies of the motion for a Fourth extension to file the Initial Brief of Respondent and Designation of Matter via U.S. mail to Appellant's attorney of record, Tommy Arthur Thomas, Esq., P.O. Box 88, Irmo, South Carolina 29063.

I further certify that all parties required by Rule to be served have been served.

This 11th day of October, 2019.


CAROLINE SCRAMTOM
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

October 11, 2019

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


Re: *The State v. Meleke D. Stewart*
Appeal from Horry County
Appellate Case No. 2018-001916

Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Respondent's Fourth Motion for Extension of Time to File Initial Brief of Respondent, together with Proof of Service, in the above-referenced matter. Opposing counsel has consented to this request.

Thank you for your assistance in this matter.

Sincerely,


Caroline Scrantom
Assistant Attorney General

SB:dmd
Enclosures
cc: Tommy Thomas, Esq. (w/two copies of encls.)

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