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May 26 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Florence County
The Honorable William H. Seals, Circuit Court Judge

THE STATE,

Respondent,

v.

TERRIEL LESHAWN MACK,

Appellant.

Appellate Case No. 2019-000521

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

The undersigned counsel would respectfully request a two-week extension in which to file the Initial Brief of Respondent in the above-referenced case. Counsel for Appellant has graciously consented to the request via email. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, May 26, 2020 as per this Court's Order dated May 4, 2020 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since April 24, 2020. Specifically,

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: From May 1-12, 2020, *Hamazed Hamdi v. State of South Carolina*, Case No. 2019-CP-10-3150, a Charleston County post-conviction relief matter. From May 7-8, 2020, *State of South Carolina v. Wallace Steve Perry*, Case No. 2017-001965, a Greenville County direct appeal matter. From May 15-20, 2020, *State of South Carolina v. Terry Williams*, Appellate Case No. 2015-001727, a Williamsburg County direct appeal matter. On May 19, 2020, *The State v. Robert Wayne Gosnell*, Case No. 2019-CP-42-3643, a Spartanburg County SVP matter. From May 15-20, 2020, *State of South Carolina v. Kathryn Martin Key*, Appellate Case No. 2017-001013, a Greenville County direct appeal matter. From May 21-22, 2020, *Hubert Brown. v. State of South Carolina*, Appellate Case No. 2016-001363, a York County post-conviction relief appeal matter. From May 21-22, 2020, *Jerry Buck Inman v. State of South Carolina*, Case No. 2012-CP-39-918, a Pickens County death penalty post-conviction relief matter. On May 22, 2020, *Myles James Dunne v. State of South Carolina*, Case No. 2019-CP-28-796, a Kershaw County post-conviction relief matter and *Oshaun Joseph Robinson v. State of South Carolina*, Case No. 2017-CP-23-2653, a Greenville County post-conviction relief matter.

2. Counsel also prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Jermaine L. Cobbs v. Warden of Goodman Correctional Institution, C/A No. 5:20-cv-818-MBS-KDW, on May 6, 2020;

3. Counsel also prepared and filed the Motion for Nunc Pro Tunc Order Granting Extension to Time to Try Petitioner and Response in Opposition to Motion to Enforce Judgement in the matter of Farid Admad Mangal a/k/a Farid Ahmad Maugal v. Warden, Perry Correctional Institution, C/A No. 6:18-cv-106-RBH, on May 8, 2020;

4. Counsel filed Respondent's Status Report in the matter of Anthony Woods v. Bryan Stirling, Commissioner, SCDC C/A No. 5:18-cv-144-DCN-KDW on May 12, 2020;

5. Counsel filed Respondent's Reply to Motion for Nunc Pro Tunc Order Granting Extension of Time to Try Petitioner in the matter of Farid Admad Mangal a/k/a Farid Ahmad Maugal v. Warden, Perry Correctional Institution, C/A No. 6:18-cv-106-RBH, on May 15, 2020;

6. Counsel is currently in preparation for oral argument before this Court on behalf of the State in the matter of The State of South Carolina vs. Angelita Wright, a Spartanburg County murder appeal on June 2, 2020;

7. Counsel has also done a substantial amount of researching the issues to prepare the Initial Brief of Respondent related this matter;

However, 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 two-week 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

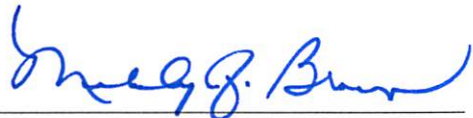
WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General
No. 4806

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

By: S/WILLIAM EDGAR SALTER, III
WILLIAM EDGAR SALTER, III
ATTORNEYS FOR RESPONDENT

May 26, 2020.

I support the finding of good cause.

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

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Appellate Case No. 2019-000521

CERTIFICATE OF SERVICE

I, Angela Brown, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Third Extension of Time to File the Initial Brief of Respondent and Designation of Matter, and Certificate of Service has been forwarded to Appellant's counsel, Susan B. Hackett, Esq., via email today, May 26, 2020 to shackett@sccid.sc.gov, and by depositing one copy of the same in the United States mail, postage prepaid, and addressed to his attorney of record: Susan B. Hackett, 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 26th day of May, 2020.



Angela B. Brown
Legal Assistant to William Edgar Salter, III
Senior Assistant Attorney General

Angela Bennett

From: Angela Bennett
Sent: Tuesday, May 26, 2020 1:29 PM
To: Susan Hackett (shackett@sccid.sc.gov); 'Kasperski, Katriel'
Cc: Ed Salter
Subject: The State v. Terriel Mack
Attachments: Mack, Terriel-2019-000521-Motion for Third Extension of Time to File Initial Brief of Respondent-May 26, 2020 (02285818xD2C78).PDF

Follow Up Flag: Worldox

Ms. Hackett, attached is our motion for third extension of time in the matter of The State v. Terriel Mack. The motion will be filed with the Court of Appeals on today's date.

Thank you,

*Angela Brown
Administrative Coordinator
Criminal Division*

*Office of the Attorney General
Post Office Box
Columbia, South Carolina
(803) 734-0368*

RECEIVED
May 26 2020
SC Court of Appeals

Angela Bennett

From: Hackett, Susan <shackett@sccid.sc.gov>
Sent: Tuesday, May 26, 2020 10:09 AM
To: Angela Bennett; Kasperski, Katriel
Cc: Ed Salter
Subject: RE: [External] The State v. Terriel Mack

I consent.

-Susan

Susan Barber Hackett
Office of Appellate Defense
1330 Lady Street, Suite 401
Columbia, S.C. 29201
803-734-1330 (office)
shackett@sccid.sc.gov

From: Angela Bennett <abennett@scag.gov>
Sent: Tuesday, May 26, 2020 10:08 AM
To: Hackett, Susan <shackett@sccid.sc.gov>; Kasperski, Katriel <kkasperski@sccid.sc.gov>
Cc: SC - SALTER WILLIAM <ESALTER@SCAG.GOV>
Subject: [External] The State v. Terriel Mack

Ms. Hackett, we need to request a two-week extension to prepare the Initial Brief of Respondent. If there are no objections, would you please consent to this request.

Thanks,

Angela Brown
Administrative Coordinator
Criminal Division

Office of the Attorney General
Post Office Box
Columbia, South Carolina
(803) 734-0368

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