

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Edgefield County  
Clifton Newman, Circuit Court Judge

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The State of South Carolina,

RECEIVED  
Respondent,  
APR 15 2013

v.

Alexander L. Hunsberger,

SC Court of Appeals  
Appellant,

Appellate Case No.: 2012-206608.

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

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter. This is Respondent's second 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. Undersigned counsel for Respondent has been scheduled for a number of state and federal matters in the last thirty (30) days, that include, but are not limited to, the following: prepared for and participated in three (3) discovery depositions in Charleston (the Solicitor, Deputy Solicitor, and Assistant Solicitor) in a capital post-conviction relief case (*William Dickerson*), and, in the same case, counsel is preparing to take another discovery deposition this month (second trial counsel, Applicant's other trial counsel was deposed Feb. 28, 2013); has reviewed an additional memorandum and another volume of exhibits submitted with the memorandum in concern of scheduling issues; and prepared and submitted a proposed order denying motion to compel discovery of privileged portions of solicitor's file (*William*

*Dickerson*). Further, in another capital post-conviction relief case, counsel has prepared witnesses, prepared and reviewed exhibits, and engaged in other trial preparation for the final day of an evidentiary hearing held on March 21, 2013 in Lexington (Respondent presented two mental health experts and cross-examined Applicant's mental health expert in reply) (*Steven Bixby*); counsel also attended and was a speaker at a three (3) day Capital Litigation advanced training seminar; prepared and filed a response in opposition to motion for an evidentiary hearing and motion to render judgment in a federal habeas action (*Calvin Gaddy*); prepared and filed objections to the report and recommendation in another federal habeas action (*Demetrius Spencer*); prepared for and presented oral argument in this Court in two non-capital murder direct appeal cases (*Andre Tayson Boone; Eugene Patterson*); completed and filed an initial brief of respondent in another non-capital murder direct appeal in this Court (*Leonard Goodwin*); prepared and filed a return to petition for writ of certiorari in another non-capital murder direct appeal (*Jamel Dwayne Good*); prepared and filed objections to report and recommendation in another federal habeas action (*Rodney Murray*); prepared and filed a response in opposition to motion to produce documents in another federal habeas action (*Willie Chapman*); and prepared and completed a return and memorandum of law in support of motion for summary judgment in another federal habeas action to be filed this week (*Wayne Bell*).

2. Due to her heavy case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal.

3. This is the second request for an extension of time in which to file a response.

THEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent and Designation of Matter.

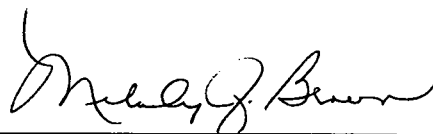
Respectfully submitted,

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DONALD J. ZELENKA  
Senior Assistant Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Attorney General

BY:   
MELODY J. BROWN  
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April 15, 2013.  
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED  
APR 15 2013  
SC Court of Appeals

Appeal from Florence County  
Clifton Newman, Circuit Court Judge

The State of South Carolina, Respondent,

v.

Alexander L. Hunsberger,

Appellant,

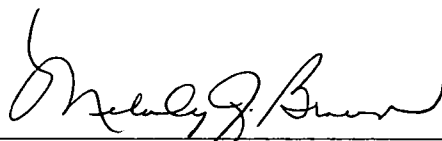
Appellate Case No.: 2012-206608.

**PROOF OF SERVICE**

I, Melody J. Brown, certify that I have served Respondent's Motion for a Second Extension of Time on counsel for Appellant, by depositing one copy 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 15<sup>th</sup> day of April, 2013.



MELODY J. BROWN  
S.C. Bar No. 14244

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ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

April 15, 2013

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

Re: The State v. Alexander L. Hunsberger  
Appeal from Edgefield County  
Appellate Case No. 2012-206608

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of Respondent's Motion for Second Extension of Time to file Initial Brief of Respondent and Designation of Matter, dated, together with a Proof of Service in the above-referenced matter.

Thank you for your assistance in this matter. Please call this office if you need any additional information.

Sincerely,

Melody J. Brown  
Senior Assistant Attorney General

MJB/mv  
Enclosures

cc: Susan B. Hackett, Appellate Defender