

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Williamsburg County
The Honorable Clifton Newman, Circuit Court Judge
Appellate Case No. 2011-185566

RECEIVED

MAY 15 2013

SC Court of Appeals

The State of South Carolina,

Respondent,

v.

Kelvin Michael Bowen, Jr.,

Appellant.

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

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. Due to his heavy case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the initial brief in this appeal. 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. Counsel reviewed, prepared and filed a Return and Memorandum of Law in Support of Summary Judgment in a federal habeas corpus matter in the U.S. District Court (*Frederick Howell*); reviewed, prepared and filed a Petition for Rehearing in a non-capital murder case in this court (*Roger Bruce*); prepared for and attended a deposition in a capital post-conviction relief action (*William O. Dickerson*); reviewed, prepared and filed a Petition for Rehearing in another non-capital murder case in this court (*Brian Spears*); reviewed, prepared

and filed a Return to Petition for Rehearing in another non-capital murder case in this Court (*Anthony Hackshaw*); reviewed, prepared and filed a Final Brief of Respondent in this Court in another non-capital murder case (*Davontay Henson*); prepared, reviewed and filed an Initial Brief of Respondent in this Court in another non-capital murder case (*Leslie Parvin*); reviewed, prepared and filed a Return and Memorandum of Law in Support of Summary Judgment in another federal habeas action (*Edmond S. Adams*); reviewed, prepared and filed a Supplemental Brief in another federal habeas action (*Ronnie Hough*); and prepared for and presented an Oral Argument in this court in a non-capital murder case (*Brittany Johnson*).

2. Due to his heavy case load, undersigned counsel for Respondent has not been able, in a timely fashion, to complete the Initial Brief on Appeal.

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,

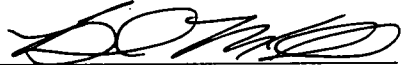
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

BRENDAN J. McDONALD
Assistant Attorney General

DANIEL E. JOHNSON
Solicitor, Fifth Judicial Circuit

BY: 
BRENDAN J. McDONALD
Office of the Attorney General
Post Office Box 11549

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Williamsburg County
The Honorable Clifton Newman, Circuit Court Judge
Appellate Case No. 2011-185566

RECEIVED

MAY 15 2013

SC COURT OF APPEALS

The State of South Carolina,

Respondent,

v.

Kelvin Michael Bowen, Jr.

Appellant.

PROOF OF SERVICE

I, Brendan J. McDonald, 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
PO Box 11589
Columbia, SC 29211

This 15th day of May, 2013 .



BRENDAN J. McDONALD
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3188

ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

May 15, 2013

RECEIVED

MAY 15 2013

SC Court of Appeals

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

Re: The State v. Kelvin Michael Bowen, Jr.
Appeal from Williamsburg County
Appellate Case No.: 2011-185566

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Respondent's Motion for Second Extension of Time to file the Initial Brief of Respondent and Designation of Matter, dated May 15, 2013, together with a Proof of Service in the above referenced matter.

Thank you for your consideration.

Sincerely,

Brendan J. McDonald
Assistant Attorney General

BJM/mv

cc: Susan B. Hackett, Appellate Defender