

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

William P. Keesley, Circuit Court Judge

RECEIVED

NOV 04 2013

SC Court of Appeals
RESPONDENT,

THE STATE,

V.

JUAN ARROYO,

APPELLANT

APPELLATE CASE NO. 2013-000580

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today, November 4, 2013. The Court has granted counsel two previous extensions.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

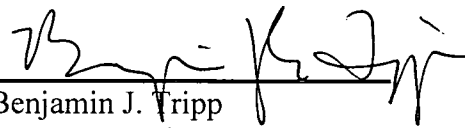
3. Today, counsel will file a brief of appellant and record on appeal in State v. Wanda Patterson with this Court. On October 31, 2013, counsel filed a brief of appellant in State v. Samuel Dingle with this Court. On October 28, 2013, counsel filed the brief of appellant and record on appeal in State v. Andre Wallace with this Court. On October 17, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Dietrick T. Williams in this Court. On October 7, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Sarah D. Cardwell with this Court. On September 27, 2013, counsel filed a Brief of Appellant in State v. Demetrius Smalls with this Court. From September 23-25, 2013, counsel attended the 2013 Public Defender Conference in Myrtle Beach, S.C. On September 20, 2013, counsel attended a conference hosted by the South Carolina Commission on Indigent Defense entitled Gideon at 50 in Charleston, S.C. On September 18, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Omar Singleton v. State with the Supreme Court. On September 16, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Shawn Leonard Glennon v. State with the Supreme Court. On September 13, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Carl Chaplin with this Court. On September 12, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Dustin Williams v. State with the Supreme Court. On August 30, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Demarco Bell v. State with the Supreme Court.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

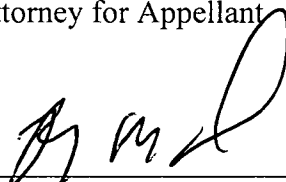
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

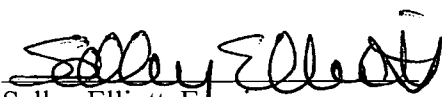

Benjamin J. Tripp
Appellate Defender

Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender

This 4th day of November, 2013

I consent:


Salley Elliott, Esquire