

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

J. C. Buddy Nicholson, Jr., Circuit Court Judge

RECEIVED

NOV 15 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LAMAR SEQUAN BROWN,

APPELLANT

APPELLATE CASE NO. 2013-000725

MOTION TO FILE THE PETITION FOR EXTENSION
OF TIME TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER OUT OF TIME

Counsel for Lamar Sequan Brown petitions the Court to allow late filing of the petition for a thirty day extension, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case were due to be served and filed on October 18, 2013, having been extended by one prior order of this Court.
2. *Due to my administrative assistant being out sick, the filing deadline for this initial brief was not put on Counsel's calendar, and was therefore overlooked.*
3. On Friday, November 8, 2013 counsel filed the brief of appellant and record on appeal in State v. Ryan Alan Williams in this Court. On Thursday, November 7, 2013, counsel filed

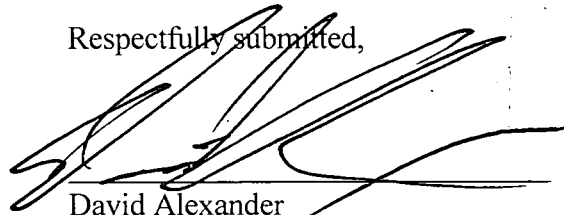
the petition for writ of certiorari and accompanying appendix in the case of Brian A. Diggs v. State in the Supreme Court. On Wednesday, November 6, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Eric Wright. Counsel filed the petition for rehearing in this Court in In the interest of Tyairy G., A Minor on Tuesday, November 5, 2013. On Friday, November 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery T. Lucas v. State in the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony Jackson in this Court on Wednesday, October 30, 2013. Also on Wednesday, October 30, 2013 counsel filed the initial brief of appellant and designation of matter in the case of State v. Breon Jacoby Mayers. On Monday, October 21, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Anthony Martucci v. State in the Supreme Court. On Friday, October 18, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bowman v. State in the Supreme Court in which the appendix was over 10,000 pages. On Wednesday, October 16, 2013, counsel had an oral argument in the South Carolina Supreme Court in the case of State v. Robert Watkins. Counsel filed the initial reply brief of appellant in the case of State v. Edward M. Dunn in this Court on Friday, September 27, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23rd, 24th, and 25th of 2013. Counsel filed the petition for rehearing in the Supreme Court in Richard Sims v. State on Friday, September 20, 2013.

4. This request is made in good faith, and not for purposes 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. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to relax Rule 263(b), SCACR, and allow leave in which to file the petition for a thirty day extension, out of time. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

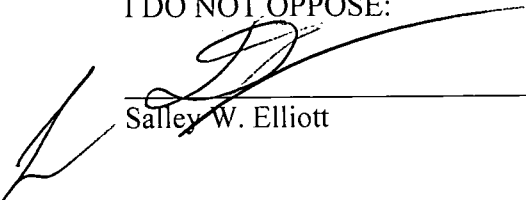
Respectfully submitted,



David Alexander
Appellate Defender

November 15, 2013

I DO NOT OPPOSE:



Salley W. Elliott