

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenwood County

Eugene C. Griffith, Jr., Circuit Court Judge

RECEIVED

MAR 03 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

GARY EUGENE LOTT,

APPELLANT

APPELLATE CASE NO. 2013-000494

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests 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 are due to be served and filed today.
2. On Monday, February 24, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Antwan McMillan (in the COA). On Thursday, February 20, 2014, counsel had an oral argument in the case of Joseph Walker v. State in the Supreme Court. On Wednesday, February 19, 2014, counsel filed the initial brief of appellant and

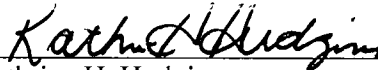
designation of matter in the case of State v. John Henry Smith. On Tuesday, February 18, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Robert Mondriques Jones (in the COA). Also on Tuesday, February 18, 2014, counsel filed the reply brief of appellant in the case of State v. James Roscoe Scofield. On Monday, February 10, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ann Smith v. State. On Monday, February 03, 2014, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Cesar Portillo. On Monday, January 27, 2014, counsel filed the Anders brief of appellant and record on appeal in the case of State v. Sincere J. Owens. On Wednesday, January 15, 2014, counsel filed the Anders brief of appellant and record on appeal in the case of State v. Charlie Belser. On Monday, January 13, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Duval M. Cooper v. State. On Friday, January 10, 2014, counsel filed the initial brief of appellant and designation of matter in the case of State v. William Edward Price. On Friday, December 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix In the Interest of Justin B., a minor under the age of seventeen in the United States Supreme Court.

3. 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.

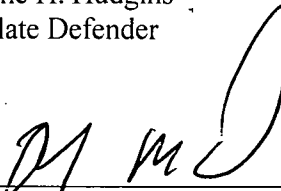
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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.

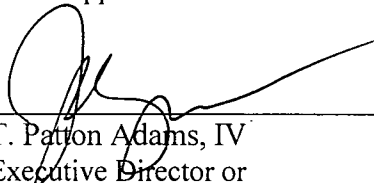
Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender



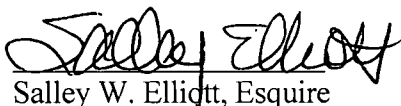
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

March 3, 2014

I DO NOT OPPOSE:



Salley W. Elliott, Esquire