

2014

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

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APR 04 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MARVIN PORCHER,

APPELLANT

APPELLATE CASE NO. 2013-001620

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

Counsel for Marvin Porcher 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. The Court has granted counsel two previous extensions.

2. Counsel for Marvin Porcher 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Ellis Brown v. State of South Carolina with the Supreme Court on April 1, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael T. Quarles with this Court on March 24, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Dusty A. Cyr with this Court on March 21, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adarius Q. Dennis v. State of South Carolina with the Supreme Court on March 20, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Shawn J. Burris with this Court on March 13, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Chavis L. Cox v. State of South Carolina with the Supreme Court on March 4, 2014. Counsel filed the petition for rehearing in the case of The State v. Shawn Reaves with this Court on February 26, 2014. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Oran Smith with the Supreme Court on February 19, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Devin Miller v. State of South Carolina with the Supreme Court on February 7, 2014. Counsel had an oral argument in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez with the Supreme Court on February 4, 2014. Counsel filed the brief of appellant in the case of In the Matter of the Care and Treatment of Alphonso Haynesworth with this Court on January 31, 2014. Counsel filed the petition for rehearing in the case of The State v. James A. Giles with the Supreme Court on January 30, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Goodwin v. State of South Carolina with the Supreme Court on January 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Edward Burchfield v. State

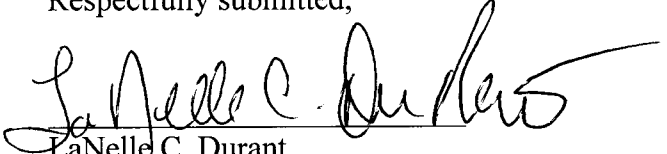
of South Carolina with the Supreme Court on January 15, 2014. Counsel had a PCR hearing in the case of The State v. Daniel Rogers in Darlington County on January 14, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix and initial brief of appellant pursuant to White v. State in the case of Darren A. Simmons v. The State with the Supreme Court on January 10, 2014. Counsel had an oral argument in the case of The State v. Shawn Reaves in this Court on January 6, 2014.

4. Counsel makes this request in good faith and not for purpose of delay.

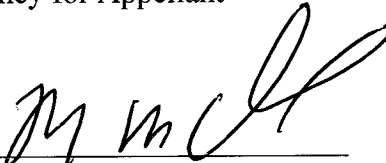
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

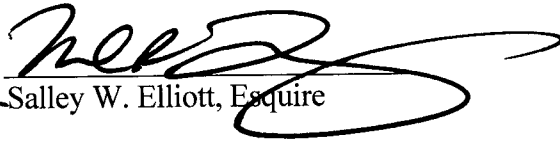

LaNelle C. Durant
Appellate Defender

Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender

This 4th day of April, 2014.

I consent:


Per Salley W. Elliott, Esquire