

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Beaufort County

Kristi Lea Harrington, Circuit Court Judge

RECEIVED

JUN 27 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

GERALD BARRETT, JR.,

APPELLANT

APPELLATE CASE NO. 2013-002158

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

Counsel for Gerald Barrett, Jr. respectfully requests an extension of thirty (30) days, **until July 28, 2014**, 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 Gerald Barrett, Jr. 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. Counsel had an oral argument in the case of State v. Jomar Robinson with the Supreme Court on June 24, 2014. Counsel filed the petition for rehearing in the case of State v. Steven Krandendonk with this Court on June 19, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix and petition for writ of certiorari and accompanying appendix, pursuant to *Austin v. State* in the case of Clarence Crittendon v. State with this Court on June 18, 2014. Counsel filed the initial brief and designation of matter in the case of State v. Paul Chandler, with this Court on June 10, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Horace Lee Glover, Jr., with this Court on June 6, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Willie M. Williams with this Court on June 5, 2014. Counsel had an oral argument in the case of State v. Michael D. Williams with this Court on June 3, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jerry Scantling with this Court on May 21, 2014. Counsel filed reply to return to petition for writ of certiorari in the case of Jose Angel Herrera v. State with the Supreme Court on May 15, 2014. Counsel filed an initial reply brief of appellant in the case of State v. Akeem O. Smith with this Court on May 15, 2014. Counsel had an oral argument in the case of State v. Henry Gray with this Court on May 13, 2014. Counsel filed Petition for Rehearing in the case of State v. Julian Deandre Battle in this Court on May 8, 2014. Counsel had an oral argument in the case of State v. William Coaxum with the Supreme Court on May 8, 2014. Counsel had an oral argument in the case of State v. Edward Dunn with this Court on May 7, 2014. Counsel had an oral argument in the case of State v. Steven Frost with this Court on May 7, 2014. Counsel filed reply to the return to the petition for writ of

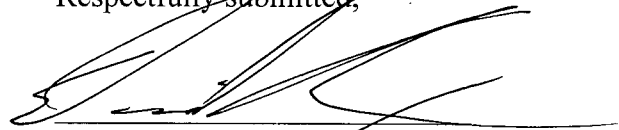
certiorari in the case of Marion Bowman v. State with the Supreme Court on May 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Zinah Damaris Jennings (transcripts and pleadings exceeded 1,800 pages) in this Court on May 1, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Erick Arroyo with this Court on April 16, 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.

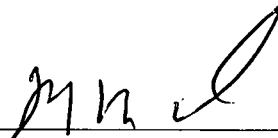
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a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

Respectfully submitted,



David Alexander
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 27th day of June, 2014.

I consent:


Salley W. Ellicott, Esquire