

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Abbeville County

Frank R. Addy, Circuit Court Judge

RECEIVED

AUG 11 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JAMES SCOTT CROSS,

APPELLANT

APPELLATE CASE NO. 2013-002596

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

Counsel for James Scott Cross respectfully requests an extension of thirty (30) days, **until September 10, 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. 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.
2. Counsel for James Scott Cross respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel is working on the reconstruction hearing for Thursday, August 14, 2014 in Charleston, SC in the case of State of South Carolina v. Travoris Hurst. Counsel is also working on and planning to file the petition for rehearing in State v. Tawanda Allen with this

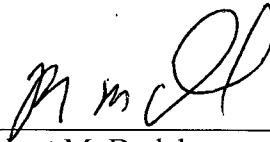
Court on Wednesday, August 13, 2014. Additionally, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nathaniel Witherspoon with this Court on August 6, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix with co-counsel, Reid T. Sherard in the case of The State of South Carolina v. Jamaal Hinson with the Supreme Court on July 29, 2014. Counsel also filed the petition to exceed twenty-five page limit for a petition for writ of certiorari in the case of The State of South Carolina v. Jamaal Hinson with the Supreme Court on July 29, 2014. Counsel also filed the return to petition for writ of certiorari in the case of James E. Waiters v. State of South Carolina with the Supreme Court on July 28, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of In The Matter of the Care and Treatment of Patrick Guess with the Supreme Court on July 23, 2014. Counsel also filed the petition for rehearing with co-counsels Charles Grose, Jr. and Shane E. Goranson in the case of State v. Anthony Nation with the Supreme Court on July 17, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of Daryl L. Gray v. State with the Supreme Court on July 14, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of State v. Harold Cartwright with this Court on July 11, 2014. Counsel also filed a motion to vacate convictions, remand for a new trial and to dismiss the appeal in the case of State v. Christina Reece with this Court on July 3, 2014. Counsel also had an oral argument in the case of State v. Richard Niles Jr. in the Supreme Court on June 25, 2014. Counsel also filed the brief of petitioner in the case of State v. Christopher Heller in the Supreme Court on June 23, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of State v. Joseph Walker with this Court on June 13, 2014. Counsel also had an oral argument in the case of State v. Darian Robinson in the Supreme Court on June 12, 2014.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extension in the future.

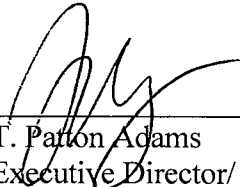
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until September 10, 2014**, 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,



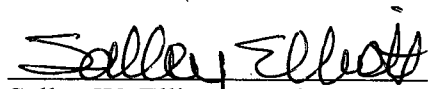
Robert M. Dudek
Chief Appellate Defender



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

This 11th day of August, 2014.

I consent:



Salley W. Elliott, Esquire