

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Marion County
D. Craig Brown, Circuit Court Judge

RECEIVED

AUG 11 2014

SC Court of Appeals

CALVIN JERMAINE POMPEY,

RESPONDENT,

v.

THE STATE,

APPELLANT

APPELLATE CASE NO. 2013-001769

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF RESPONDENT

Counsel for Calvin Jermaine Pompey respectfully requests a **final eleven (11) day extension, until August 22, 2014**, in which to file the Initial Brief of Respondent in this case. **Counsel will make every effort to file the brief in advance of that deadline.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of respondent is due to be filed with the Court today.
2. Counsel is working on the reconstruction hearing to be held 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.

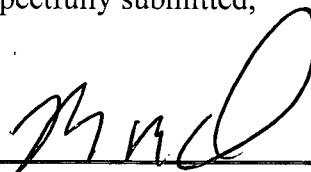
3. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

hopefully become more manageable in the near future, and less extensions will need to be requested.

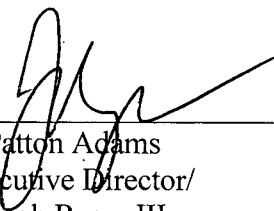
4. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final eleven (11) day extension until August 22, 2014**, in which to file the initial brief of respondent in this case based upon the above exigent circumstances. **Counsel will make every effort to file the brief in advance of that deadline.** Counsel respectfully requests that the time limits for filing the initial brief of respondent 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:



Alphonso Simon, Jr.