

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Certiorari to Greenville County
C. Victor Pyle, Jr., Circuit Court Judge

RECEIVED
SEP 26 2014
SC Court of Appeals

MARTHA ELIZABETH HALE,

APPELLATE,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2012-213693

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

Counsel for Martha Elizabeth Hale respectfully requests a **final thirty (30) day extension, until October 27, 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 Martha Elizabeth Hale 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 is working on and will be filing the Petition for Rehearing in the case of Richard Bernard Moore v. State of South Carolina with the Supreme Court today, September 26, 2014.

4. Counsel was preparing for and presented his power-point presentation for the 2014 Annual Public Defender Conference held September 22-24, 2014 in Myrtle Beach, South Carolina. Counsel filed the petition for rehearing in the case of State of South Carolina v. Christina Reece with this Court on September 12, 2014. Counsel had an oral argument in the case of State v. Bobbie McCann before this Court on September 12, 2014. Counsel also had an oral argument in the case of State v. Jason Bauman before this Court on September 10, 2014. Counsel also had an oral argument in the case of State v. Derell Green which he assisted Appellate Defender Lara Caudy in preparing to argue for him before this Court on September 8, 2014. Counsel also filed the reply to return to petition for writ of certiorari with co-counsel, Reid T. Sherard in the case of State v. Jamaal Hinson with the Supreme Court on September 8, 2014. Counsel also filed the brief of petitioner with co-counsel, David Alexander, in the case of State v. Darren Gerome Scott with the Supreme Court on September 4, 2014. Counsel also filed the petition for rehearing in the case of The State v. Anthony K. Blakney with this Court on September 4, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of The State v. Andrew Antonio Clemons with this Court on September 4, 2014. Counsel also filed the record on appeal in the case of Michael D. Hall v. State of South Carolina which was granted, and expedited in the original jurisdiction of the Supreme Court, with the Supreme Court on August 27, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Mark Stanley Peters with the Supreme Court on August 25, 2014. Counsel filed the designation of matter in the case of Michael D. Hall v. State of South Carolina with the Supreme Court on August 22, 2014. Counsel also filed the initial brief of respondent in the case of State v. Calvin Pompey with this Court on August 22, 2014. Counsel also filed the initial brief of respondent and designation of matter in the case of State v. Shannon Scott with the Supreme Court on August 21, 2014. Counsel also filed the petition for rehearing

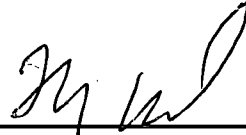
in the case of State v. Victor A. White with this Court on August 21, 2014. Counsel also filed the petition for rehearing in the case of State v. Jefferson Perry with this Court on August 21, 2014. Counsel also filed the initial reply brief of appellant in the case of State v. William Pou with this Court on August 20, 2014. Counsel also had to prepare his power-point presentation for the summary judge's conference Tuesday, August 19, 2014. Counsel also filed the return to motion to appoint outside counsel in the case of Damon Jones aka Damian Jones v. State with the Supreme Court on August 18, 2014. Counsel also was preparing for and attending a reconstruction hearing in the case of State v. Travoris Hurst held in Charleston, SC on August 14, 2014. Counsel also filed the petition for rehearing in State v. Tawanda Allen with this Court on August 13, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Charles M. Harris with the Supreme Court on August 8, 2014. Counsel also 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.

5. 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.

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

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until October 27, 2014**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



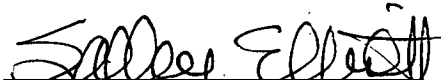
Robert M. Dudek
Chief Appellate Defender



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

This 26th day of September, 2014.

I consent:



Salley W. Elliott