

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Berkeley County  
Deadra L. Jefferson, Circuit Court Judge

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RECEIVED

SEP 29 2014

THE STATE,

RESPONDENT **SC Court of Appeals**

V.

CHRISTOPHER W. BERKE,

APPELLANT

APPELLATE CASE NO. 2014-000464

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

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Counsel for Christopher Berke 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 **fourth and final** 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 three previous extensions.
2. Counsel for Christopher Berke 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 currently working in the case of Michael D. Hall v. State of South Carolina, a new case pending in the Supreme Court's original jurisdiction with impending**

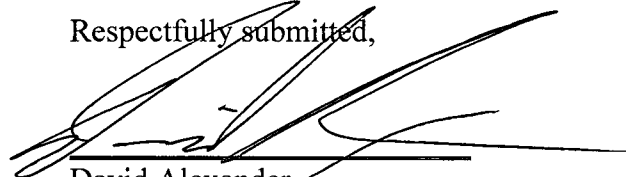
**deadline that cannot be extended. Counsel is also working in the case of State v. Ricky Lee Blackwell, a direct appeal in a capital case, and the transcript is 4.751 pages long.** Counsel filed the initial brief of appellant and designation of matter in the case of State v. Greg K. Isaac with this Court in September 26, 2014. Counsel attended and participated in the 2014 Annual Public Defender on September 22, 23, and 24, 2014. Counsel filed the brief of appellant in the case of State v. Jabriel L. Singleton with this Court on September 19, 2014. Counsel had an oral argument in the case of State v. Antonio Glover in this Court on September 11, 2014. Counsel had an oral argument in the case of State v. Anthony Jackson in this Court on September 10, 2014. Counsel had an oral argument in the case of State v. Christopher Paul Mahaffey in this Court on September 9, 2014. Counsel filed the brief of petitioner in the case of State v. Darren G. Scott with the Supreme Court on September 4, 2014. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of State v. Julian De'Andre Battle with the Supreme Court on September 3, 2014. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of State v. Kevin Tyrone Bennett with the Supreme Court on August 28, 2014. Counsel 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, as co-counsel. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gerald Barrett with this Court on August 27, 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, as co-counsel. Counsel filed the initial brief of appellant and designation of matter in the case of State v. William Donald Bolt with this Court on August 20, 2014. Counsel filed the brief of appellant and designation of matter in the case of State v. Talmadge Rowell with this Court on August 8, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Edwards Haynes with this Court on July 29, 2014.

4. 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.

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

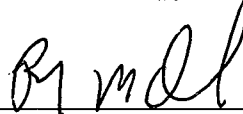
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final** thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



David Alexander  
Appellate Defender

Attorney for Appellant



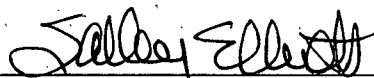
Robert M. Dudek  
Chief Appellate Defender



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

This 29<sup>th</sup> day of September, 2014.

I consent:



Salley W. Elliott, Esquire