

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Certiorari to Spartanburg County  
Roger L. Couch, Circuit Court Judge

RECEIVED

NOV 03 2014

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

RICKY LEE BLACKWELL,

APPELLANT.

APPELLATE CASE NO. 2014-000610

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

Counsel for Ricky Lee Blackwell respectfully requests an extension of thirty (30) days, **until November 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. This is a second request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter were due to be served and filed with the Court on Wednesday, October 29, 2014.
2. Counsel for Ricky Lee Blackwell respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Counsel is

working on this case with co-counsel, David Alexander, Esquire. 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, Robert M. Dudek): Counsel is attending a PCR hearing today, October 29, 2014, in Dorchester County in the case of Walter Lee Harris v. State of South Carolina. Counsel has the Appellate Project CLE tomorrow, October 30, 2014. Counsel is working on and will be filing the petition for writ of certiorari and accompanying appendix in the case of The State v. Victor White with this Court tomorrow, October 30, 2014. Counsel is also filing a petition for stay of execution with this Court in the case of Richard Moore v. State on Friday, October 31, 2014. Counsel is also doing a presentation that he continues to prepare for, after doing the materials on the Fourth Amendment, for the Summary Judge's Conference on November 7, 2014. Counsel is working on and planning to file the initial brief of appellant and designation of matter in the case of The State v. Bradley Gerald Mullins with the Court of Appeals on November 4, 2014. Counsel will also be filing the United States certiorari petition in the case of Bayan Aleksey v. State of South Carolina on November 24, 2014.

4. (Counsel, Robert M. Dudek): Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Tawanda Allen with this Court on October 27, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of Timothy D. Dingle v. The State (murder case) with the Court of Appeals on October 22, 2014. Counsel filed the petition for rehearing in the case of The State v Jason A. Bauman with the Court of Appeals on October 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Heller before this Court on October 7, 2014. Counsel filed the final brief of petitioner in the case of Michael D. Hall v. State of South Carolina with co-counsel, Susan B.

Hackett and David Alexander, with this Court on October 6, 2014. Counsel had an oral argument in the case of The State v. Antonio Miller before the Court of Appeals on October 6, 2014. Counsel filed the petition for rehearing in the case of The State v. Michael Anthony Rogers in the Court of Appeals on October 2, 2014. Counsel filed the petition for rehearing with co-counsel, Susan Hackett, in the case of Richard Bernard Moore v. State of South Carolina with this Court on September 26, 2014. Counsel prepared for and presented his Case Law Update 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 the Court of Appeals on September 12, 2014. Counsel had an oral argument in the case of State v. Bobbie McCann before the Court of Appeals 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 the Court of Appeals 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 this 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 this Court on September 4, 2014. Counsel also filed the petition for rehearing in the case of State v. Anthony K. Blakney with the Court of Appeals 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 the Court of Appeals on September 4, 2014.

5. (Counsel David Alexander): Counsel is filing today the initial brief of appellant and designation of matter in the case of State v. Christopher W. Berke with the Court of Appeals.

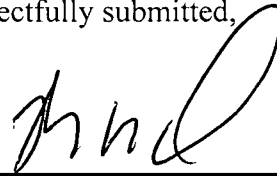
Counsel filed the brief of appellant in the case of State v. Jessie Davis with the Court of Appeals on October 27, 2014. Counsel filed the initial reply brief in the case of State v. Lamar Sequan Brown with the Court of Appeals on October 27, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Zachary Fowler v. State of South Carolina with this Court on October 22, 2014. Counsel filed the petition for rehearing in the case of State v. Anthony Jackson with the Court of Appeals on October 14, 2014. Counsel filed the initial reply brief in the case of State v. Erick Arroyo with the Court of Appeals on October 10, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sterling Devonte Brown v. State of South Carolina with this Court on October 9, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Markelle Jamar Reid v. State of South Carolina with this Court on October 8, 2014. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of State v. Steven Kranendonk with this Court on October 6, 2014. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Jason Alan Johnson with the Supreme Court on October 3, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Greg K. Isaac with the Court of Appeals 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 the Court of Appeals on September 19, 2014. Counsel had an oral argument in the case of State v. Antonio Glover in the Court of Appeals on September 11, 2014. Counsel had an oral argument in the case of State v. Anthony Jackson in the Court of Appeals on September 10, 2014. Counsel had an oral argument in the case of State v. Christopher Paul Mahaffey in the Court of Appeals

on September 9, 2014. Counsel filed the brief of petitioner in the case of State v. Darren G. Scott with this Court on September 4, 2014.

7. Counsel makes this request in good faith and not for purpose of delay.
8. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until November 27, 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.

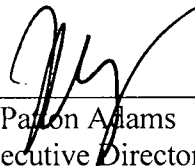
Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

David Alexander  
Appellate Defender



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

This 3<sup>rd</sup> day of November, 2014.

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Spartanburg County  
Roger L. Couch, Circuit Court Judge

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THE STATE,

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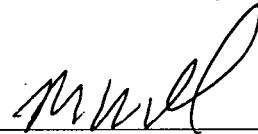
APPELLATE CASE NO. 2014-000610

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CERTIFICATE OF SERVICE

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I certify that a true copy of the motion for an extension of time in which to file the initial brief of appellant and designation of matter in the above case has been served upon Melody J. Brown, Esquire, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 3<sup>rd</sup> day of November, 2014.



Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 3<sup>rd</sup> day  
of November, 2014.

Rhonda Demese Soyworth (L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 17, 2021.