

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Hampton County
Brooks P. Goldsmith, Circuit Court Judge

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THE STATE,

SC Court of Appeals
RESPONDENT,

V.

TONYA MCALHANEY,

APPELLANT

APPELLATE CASE NO. 2014-000255

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

Counsel for Tonya McAlhaney 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 Tonya McAlhaney 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 started working with the South Carolina Commission on Indigent Defense Division of Appellate Defense on September 25, 2014.** Counsel filed the petition for

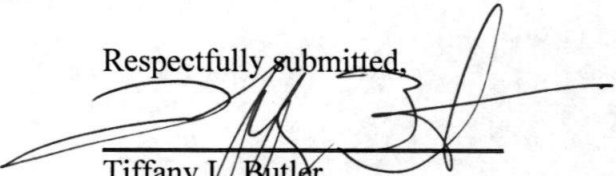
writ of certiorari and accompanying appendix in the case of George T. Middleton v. State with the Supreme Court on October 15, 2014.

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.

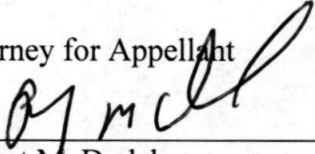
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

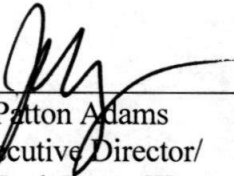


Tiffany L. Butler
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 5th day of November, 2014.

I consent:



Salley W. Elliott, Esquire