

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Certiorari to Greenville County

C. Victor Pyle, Jr., Circuit Court Judge  
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**RECEIVED**

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**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

MARTHA ELIZABETH HALE,

APPELLANT.

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 Hale respectfully requests a **twenty-day (20) extension, until December 16, 2014**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel regrets the necessity of this extension request and will make every attempt to file the brief before the requested deadline but the facts that follow make this extension request absolutely necessary.** 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 brief of petitioner in the case of The State v. South Carolina v. Manuel Marin with the Supreme Court on December 4, 2014. Counsel is also working on and will be filing the petition for writ of certiorari in the case of The State v. Michael Rogers with the Supreme Court on December 4, 2014. Counsel is also working on and will be filing the petition for writ of certiorari in the case of The State v. Anthony K. Blakney with the Supreme Court on December 4, 2014. Counsel is also working on and will be filing the petition for writ of certiorari in the case of The State v. Jefferson Perry with the Supreme Court on December 4, 2014.

4. Counsel filed the United States certiorari petition in the case of Bayan Aleksey v. State of South Carolina on November 24, 2014. Counsel did two presentations, Preserving the Record for Appellate Review and Post-Conviction Relief, yesterday, November 25, 2014 at the Public Defender 101 training in the Blatt Building. Counsel filed the petition for writ of certiorari in the case of Richard Keith Poe v. State of South Carolina with the Supreme Court on November 21, 2014. Counsel attended a PCR Hearing on November 18, 2014 in Richland County in the case of Quincy Jovan Allen v. The State. Counsel filed the petition for writ of certiorari in the case of Sammie Louis Stokes v. State of South Carolina (death penalty case) with the Supreme Court on November 12, 2014. Counsel gave a presentation that he continued to prepare for after doing the materials on the Fourth Amendment for the Summary Judge's Conference on November 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Bradley Gerald Mullins with this Court on November 4, 2014. Counsel filed a petition for stay of execution in the case of The State v. Richard Moore with the Supreme Court on October 31, 2014. Counsel presented the Appellate Project CLE on October

30, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Victor White with the Supreme Court on October 30, 2014. Counsel attended a PCR hearing on October 29, 2014 in Dorchester County in the case of Walter Lee Harris v. State of South Carolina. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Tawanda Allen with the Supreme 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 this Court on October 22, 2014. Counsel filed the petition for rehearing in the case of The State v Jason A. Bauman with this Court on October 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Heller before the Supreme 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 the Supreme Court on October 6, 2014. Counsel had an oral argument in the case of The State v. Antonio Miller before this Court on October 6, 2014. Counsel filed the petition for rehearing in the case of The State v. Michael Anthony Rogers in this Court 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 the Supreme Court on September 26, 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 twenty (20) day extension, until December 16, 2014**, in which to file the initial brief of appellant and

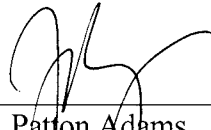
designation of matter in this case based upon the above exigent circumstances. **Counsel will make every attempt to file the brief and designation early.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

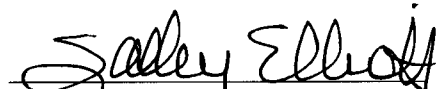


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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 26<sup>th</sup> day of November, 2014.

I consent:

  
Salley W. Elliott, Esquire