

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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

RECEIVED

DEC 1 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 December 28, 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 third 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 today.
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 working on and will be filing the brief of petitioner in the case of The State v. South Carolina v. Manuel Marin with this 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 this 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 this 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 this Court on December 4, 2014.

4. (Counsel, Robert M. Dudek): Counsel filed the United States certiorari petition in the case of Bayan Aleksey v. State of South Carolina on November 24, 2014. Counsel filed the petition for writ of certiorari in the case of Richard Keith Poe v. State of South Carolina with this 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 this 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 the Court of Appeals on November 4, 2014. Counsel filed a petition for stay of execution in the case of The State v. Richard Moore with this 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 this 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 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.

5. (Counsel David Alexander): Counsel is currently working on 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.

6. (Counsel David Alexander): Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Thomas Earnest Webb v. State of South Carolina with this Court on November 19, 2014. Counsel filed the brief of appellant in the case of State v. Joshua A. Reed with the Court of Appeals on November 13, 2014. Counsel filed the brief of appellant in the case of State v. Shawn William Sharpe with the Court of Appeals on November

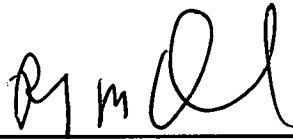
12, 2014. On November 7, 2014, counsel spoke at a Seminar for South Carolina Magistrate Judges. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jamar Lavert Belk v. State of South Carolina with this Court on November 4, 2014. Counsel was a speaker during the group sessions for the Appellate Practice Project on October 30, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kelvin Jackson with the Court of Appeals on October 30, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher W. Berke with the Court of Appeals on October 29, 2014. 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 this Court on October 3, 2014

7. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

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

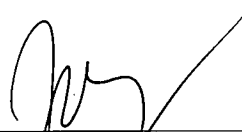
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until December 28, 2014**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

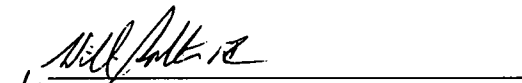
David Alexander
Appellate Defender



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

This 1st day of December, 2014.

I consent:


Melody J. Brown, Esquire