

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Marion County

William H. Seals, Jr., Circuit Court Judge

RECEIVED

DEC 08 2014

RESPONDENT

SC Court of Appeals

THE STATE,

V.

JIMMY TURNER,

APPELLANT

APPELLATE CASE NO. 2013- 335

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

Counsel for Jimmy Turner respectfully requests a **fourth and final** 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 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 Jimmy Turner 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.

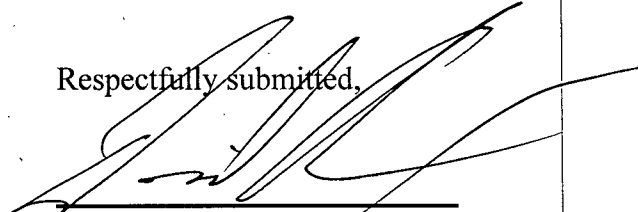
3. **Counsel is currently working on the case of State v. Ricky Lee Blackwell, a direct appeal in a capital case, and the transcript is 4,751 pages long.** Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Thomas Earnest Webb v. State of South Carolina with the Supreme Court on November 19, 2014. Counsel filed the brief of appellant in the case of State v. Joshua A. Reed with this Court on November 13, 2014. Counsel filed the brief of appellant in the case of State v. Shawn William Sharpe with this Court 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 the Supreme 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 this Court 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 this Court on October 29, 2014. Counsel filed the brief of appellant in the case of State v. Jessie Davis with this Court on October 27, 2014. Counsel filed the initial reply brief in the case of State v. Lamar Sequan Brown with this Court 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 the Supreme Court on October 22, 2014. Counsel filed the petition for rehearing in the case of State v. Anthony Jackson with this Court on October 14, 2014. Counsel filed the initial reply brief in the case of State v. Erick Arroyo with this Court 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 the Supreme 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 the Supreme Court on October 8, 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.

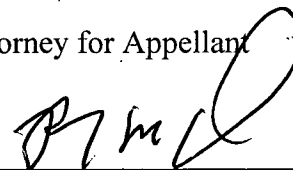
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

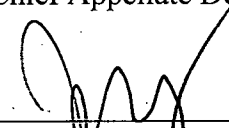


David Alexander
Appellate Defender

Attorney for Appellant




Robert M. Dudek
Chief Appellate Defender



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

This 8th day of December, 2014.

I consent:



Salley W. Elliott, Esquire