

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Saluda County

Thomas A. Russo, Circuit Court Judge

RECEIVED

DEC 12 2014

THE STATE,

SC Court of Appeals

RESPONDENT,

V.

STEVEN OTTS,

APPELLANT

APPELLATE CASE NO. 2014-000274

**PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a **final extension of ten (10) days until December 22, 2014**, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by four prior orders of this Court.
2. Counsel respectfully submits extraordinary circumstances exist which warrant the granting of an additional extension of time. Counsel regrets having to request this extension and will make every effort to file the brief prior to the ten day deadline.

Counsel anticipates raising three issues in this murder case with a transcript totaling 605 pages.

3. On December 10, 2014, counsel traveled to Lieber Correctional Institution to attend a deposition of one of her clients involving a civil suit arising out of the criminal charges. On December 9, 2014, counsel, who was on brief, attended the oral argument in the case of State v. Michael Hall in the Supreme Court. Counsel argued in the case of Michael Gonzales v. State in this Court on December 8, 2014. Counsel filed the Anders brief of Appellant and designation of matter with the Record on Appeal in the case of State v. Sean Phillip Smith in this Court on December 9, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Russell Sims v. State in the Supreme Court on December 1, 2014. Counsel filed the petition for rehearing in the case of State v. Mathew Fullbright in this Court on December 1, 2014. Counsel attended and spoke at the Public Defense 101: Fundamentals of the Profession seminar on November 25, 2014. Counsel filed the petition for rehearing in the case of State v. Alexander Hunsberger in this Court on November 20, 2014. Counsel filed the petition for rehearing in the case of State v. Ralph B. Hayes in this Court on November 20, 2014. Counsel filed the return to the petition for writ of certiorari to this Court in the case of State v. Wayne Stewart Curry in the Supreme Court on November 19, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Tyrel Collins in this Court on November 17, 2014. Counsel filed the Anders brief of Appellant and designation of matter with the Record on Appeal in the case of State v. Javan Mays in this Court on November 12, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ernest Eugene Williams, Jr. in this Court on

November 10, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eddie Pilcher v. State in the Supreme Court on November 5, 2014. Counsel argued in the case of State v. Christopher J. Shippy in this Court on November 4, 2014. Counsel argued in the case of State v. Darryl L. Drayton in this Court on November 3, 2014. Counsel attended at the Appellate Practice Project CLE on October 30, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Alan L. Burns in this Court on October 30, 2014. Counsel attended a PCR hearing in Beaufort County in the case of Leslie Twyman v. State before the Honorable Judge Edgar Dickson on October 29, 2014. Counsel filed the brief of petitioner in the case of State v. Julia Gorman with the Supreme Court on October 24, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Odell Brown in this Court on October 16, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Delonte Carroll v. State in the Supreme Court on October 14, 2014. Counsel filed the brief of petitioner in the case of Anthony Sanders v. State in the Supreme Court on October 13, 2014. Counsel filed the brief of petitioner in the case of Eunice McCall v. State in the Supreme Court on October 13, 2014.

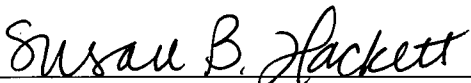
4. This request is made in good faith, and not for purposes of delay.

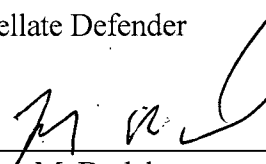
5. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

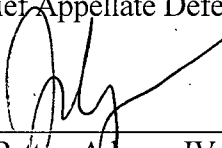
WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension** in which to file the initial brief of appellant and designation of matter in this case.

Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

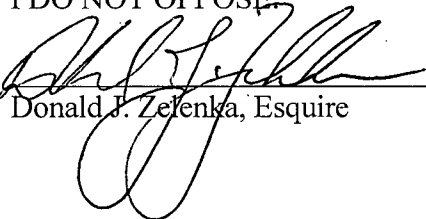
  
\_\_\_\_\_  
Susan B. Hackett  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

  
\_\_\_\_\_  
T. Patton Adams, IV  
Executive Director or  
J. Hugh Ryan, III  
General Counsel

December 12, 2014

I DO NOT OPPOSE:

  
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Donald J. Zelenka, Esquire