

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County  
John C. Hayes, III, Circuit Court Judge

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**RECEIVED**

JAN 09 2015

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

ELDER PRESCOTT LEACH,

APPELLANT

APPELLATE CASE NO. 2014-001158

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

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Counsel for Elder Prescott Leach respectfully requests a **fourth and final** extension of thirty (30) days, **until February 9, 2015**, 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 Elder Prescott Leach 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 filed the petition for writ of certiorari and accompanying appendix in the case of Kevin K. Fowler v. State of South Carolina with the Supreme Court on January 7, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jarvis Gibbs v. State of South Carolina with the Supreme Court on January 7, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Phillip Fleming Watts v. State of South Carolina with the Supreme Court on January 7, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jacob Heyward Seay with this Court on December 31, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jay C. Carr with this Court on December 31, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael A. Smith v. State of South Carolina with the Supreme Court on December 29, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Johnson v. State of South Carolina with the Supreme Court on December 22, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher T. Gamble with this Court on December 17, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donald W. Wichmann v. State of South Carolina with the Supreme Court on December 15, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Erik Morrow v. State of South Carolina with the Supreme Court on December 5, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ila Michelle Carter v. State of South Carolina with the Supreme Court on December 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adrian Darby v. State of South Carolina with the Supreme Court on November 26, 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.

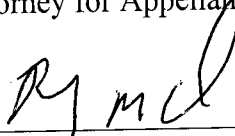
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 9, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



John Strom  
Appellate Defender

Attorney for Appellant




Robert M. Dudek  
Chief Appellate Defender



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

This 9th day of January, 2015

I consent:

  
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Sailey W. Elliott, Esquire