

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

RECEIVED

JAN 16 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID TERRELL GALLMAN,

APPELLANT

APPELLATE CASE NO. 2014-001526

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

Counsel respectfully requests an 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 third 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 two previous extensions.
2. Counsel 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. On January 14, 2015, counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Carolyn Poe with the Supreme Court. On January

12, 2015, counsel filed a brief of appellant and record on appeal in State v. Christopher W. Brown with this Court. On January 8, 2015, counsel held an oral argument in State v. Mitchell Rivers before this Court. On January 5, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in John J. Moore v. State with the Supreme Court. On December 23, 2014, counsel filed a petition for rehearing in State v. Arthur Smith with this Court. On December 17, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Gregory Gosnell v. State with the Supreme Court. On December 15, 2014, counsel filed an Petition for Writ of Certiorari pursuant to *Austin v. State* in Victor C. Penny v. State with the Supreme Court. On December 11, 2014, counsel filed a petition for rehearing in State v. Carolyn Poe with this Court. On December 10, 2014, counsel filed a petition for writ of certiorari in Donnell McFadden v. State with the Supreme Court. On December 9, 2014, counsel held an oral argument in Ernest L Hall v. State before this Court. On December 5, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Steven R. Timmons v. State with the Supreme Court. On December 5, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Eddie Pilcher v. State with the Supreme Court. On December 1, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Princeton Thrower v. State with the Supreme Court. On December 1, 2014, counsel filed a petition for rehearing in The Interest of Jameccia L., a Minor Under the Age of Seventeen with this Court. On November 26, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Anthony Britt v. State with the Supreme Court. On November 24, 2014, counsel filed a petition for writ of certiorari in Tony Moore v. State with the Supreme Court. On November 21, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Charles Green, Jr. with this Court. On November 20, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Michael McCraw with this Court. On November 13, 2014, counsel filed a brief of respondent in State v. Brittany Johnson with the Supreme Court. On November 12, 2014, counsel held an oral argument in State v. Demetrius Smalls before this Court.

On November 5, 2014, counsel filed a brief of appellant and record on appeal in State v. Latroy Lamar Wherry with this Court.

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.

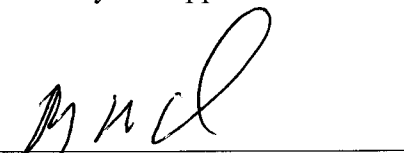
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request an additional 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,

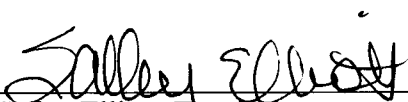

Benjamin J. Tripp
Appellate Defender

Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender

This 16th day of January, 2015

I consent:


Salley Elliott, Esquire