

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Thomas A. Russo, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

BARRY MILLWOOD,

APPELLANT

APPELLATE CASE NO. 2014-001430

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

Counsel for Barry Millwood respectfully requests a **fourth and final until March 5th, 2015**, 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 Barry Millwood 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 her caseload, counsel hopes that no further extension requests will be required.

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3rd
CPP: 2/4/15
ORIGINAL
POD: 3/5/15

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SC Court of Appeals

3. Counsel has an oral argument today in the case of The State v. Christopher Broadnax in the Supreme Court. Counsel filed the brief of appellant in the case of The State v. Joseph Mack, Jr. with this Court on January 22, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rusty Dunbar v. State of South Carolina with the Supreme Court on January 16, 2015. Counsel filed the brief of petitioner in the case of Christopher O'Neal Pringle v. State of South Carolina with this Court on January 12, 2015. Counsel filed the brief of petitioner in the case of Bruce Wilson v. State of South Carolina with the Supreme Court on January 9, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Aaron Smalls v. State of South Carolina with the Supreme Court on January 2, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wayne Albeon Scott with this Court on December 30, 2014. Counsel filed the brief of petitioner in the case of In the Matter of the Care and Treatment of Christopher Taft with the Supreme Court on December 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Whitehead in the Supreme Court on December 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Octavius Lamar Whitmire v. State of South Carolina with the Supreme Court on December 2, 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.

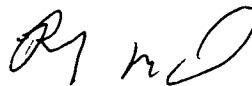
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until March 5th, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



LaNelle C. Durant
LaNelle C. Durant
Appellate Defender

Attorney for Appellant



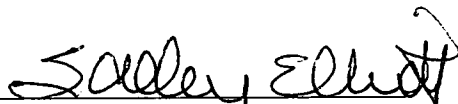
Robert M. Dudek
Robert M. Dudek
Chief Appellate Defender



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

This 4th day of February, 2015.

I consent:



Salley W. Elliott
Salley W. Elliott, Esquire