

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Horry County

Edward B. Cottingham, Circuit Court Judge

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**RECEIVED**

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**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

O'NEAL BERNARD BYRDIC, JR.,

APPELLANT.

APPELLATE CASE NO. 2014-001675

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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 O'Neal Bernard Byrdic, Jr. respectfully requests an extension of thirty (30) days, **until March 23, 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 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 for O'Neal Bernard Byrdic, Jr. 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 working on and will be filing the petition for writ of certiorari and accompanying appendix in the case of Scott Parker v. The State of South Carolina with the Supreme Court today, February 20, 2015. Counsel filed the brief of appellant and designation of matter in the case of The State v. Elder Prescott Leach with this Court on February 9, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Alexander Carmichael Huckabee with this Court on February 4, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Bailey v. State of South Carolina with the Supreme Court on January 28, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lloyd Wright v. State of South Carolina with the Supreme Court on January 20, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. James Clyde Dill, Jr. with this Court on January 12, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dominique Julius Agurs with this Court on January 9, 2015. 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

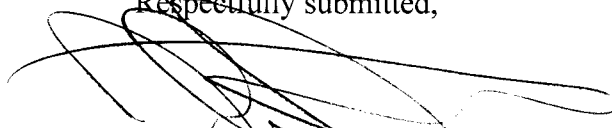
certiorari and accompanying appendix in the case of Michael A. Smith v. State of South Carolina with the Supreme Court on December 29, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher Johnson v. State of South Carolina with the Supreme Court 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.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office consents to this request shown by

signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until March 23, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

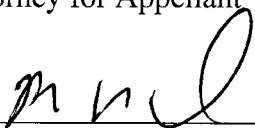
Respectfully submitted,



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John H. Strom  
Appellate Defender

Attorney for Appellant




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Robert M. Dudek  
Chief Appellate Defender

This 20th day of February, 2015.

I consent:



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Matthew Buchanan, Esquire