

 ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Newberry County

Eugene C. Griffith, Jr., Circuit Court Judge

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**RECEIVED**

MAR 19 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TIMMY EUGENE RICE, JR.,

APPELLANT

APPELLATE CASE NO. 2014-001753

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

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The undersigned counsel would respectfully request a thirty-day extension 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 two prior orders of this Court.

2. **Counsel started working with the South Carolina Commission on Indigent Defense Division of Appellate Defense on September 25, 2014.** Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christina Hudson v. State in the Supreme Court on March 16, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Richard Todd Culbertson in the Court of Appeals on March 4,

2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leonard Stanfield v. State in the Supreme Court on March 4, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Forest Ham, Jr. v. State in the Supreme Court on March 4, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Barry Jerrod Stanley in the Court of Appeals on February 20, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Devon S. Thomas in the Court of Appeals on February 19, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dashaud Luck v. State in the Supreme Court on February 17, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Sumter v. State in the Supreme Court on February 13, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Timothy Frady in the Court of Appeals on February 11, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Donte Samar Brown in the Court of Appeals on February 9, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. James Patrick Smith in the Court of Appeals on February 9, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Mack Washington in the Court of Appeals on January 30, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Clifton D. Cooke in the Court of Appeals on January 13, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Claudius Adrian Williams in the Court of Appeals on January 7, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Todd F. Smith v. State in the Supreme Court on December 31, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alphonso Simmons v. State in the Supreme Court on December 12, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jaleel Page v. State in the Supreme Court on December 8, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v.

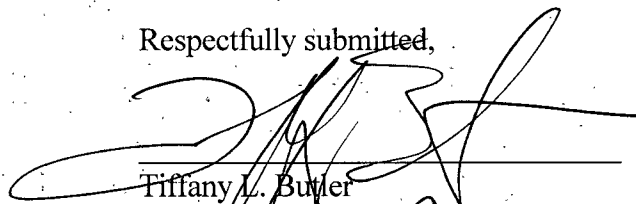
Tonya Mcalhaney in the Court of Appeals on December 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Randy Howze in the Court of Appeals on November 25, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Pernell Byas in the Court of Appeals on November 14, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George T. Middleton v. State with the Supreme Court on October 15, 2014.

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

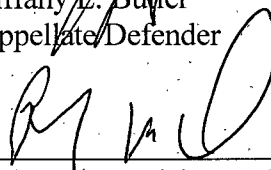
4. As indicated by consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-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,



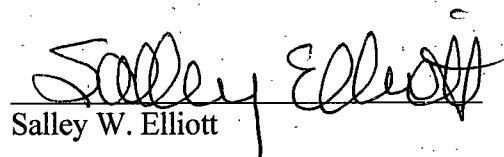
Tiffany L. Butler  
Appellate/Defender



Robert M. Dudek  
Chief Appellate Defender

March 19, 2015

I DO NOT OPPOSE:



Salley W. Elliott