

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

Appeal from Laurens County

APR 01 2015

Eugene C. Griffith Jr., Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DANIEL MARTINEZ HERRERA,

APPELLANT.

APPELLATE CASE NO. 2014-001299

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

Counsel for Daniel Martinez Herrera respectfully requests an extension of thirty (30) days, **until May 1, 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 Daniel Martinez Herrera 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 initial brief of appellant and designation of matter in the case of The State v. John Upson with this Court on March 23, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. O'Neal Bernard Byrdic, Jr. with this Court on March 23, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Billy Joe Hannah v. State of South Carolina with the Supreme Court on March 19, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Shawn Lee Wyatt with this Court on March 4, 2015. Counsel is working on and will be filing the petition for writ of certiorari and accompanying appendix in the case of Randy Yonson v. The State of South Carolina with the Supreme Court today, February 27, 2015. Counsel filed 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 on February 20, 2015. Counsel filed the Anders 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.

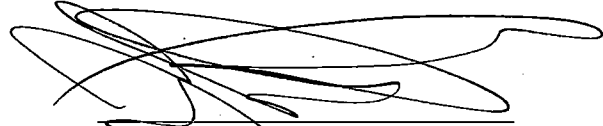
4. Counsel makes this request in good faith and not for purpose of delay.

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 May 1, 2015**, in which to file the initial brief of appellant and designation of

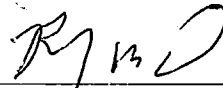
matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



John H. Strom
Appellate Defender

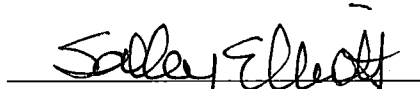
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 1st day of April, 2015.

I consent:


Salley W. Elliott, Esquire