

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Cherokee County
R. Keith Kelly, Circuit Court Judge

RECEIVED
APR 29 2015
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TERRY HALL,

APPELLANT.

APPELLATE CASE NO. 2014-002066

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

Counsel for appellant respectfully requests a **final thirty (30) day extension, until May 29, 2015**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will attempt to file the brief before the requested deadline if at all possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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.
2. Counsel 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 prepared for and is participating in the Indigent Defense training (Public Defender 103) being held April 27 – 29, 2015, in Beaufort, South Carolina. Counsel had an oral argument in the case of State v. Darren Scott before the Supreme Court on Wednesday, April 22, 2015. Counsel filed the petition for rehearing in the case of State v. Richard Bill Niles, Jr. with the Supreme Court on Thursday, April 9, 2015. Counsel had an oral argument in the case of State v. Manual Marin before the Supreme Court on Wednesday, April 8, 2015. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight. Counsel also has been training three new appellate defenders, which includes reading their briefs and certiorari petitions in advance of filing.**

4. Counsel filed the return to petition for writ of certiorari in the case of Melvin Daniel v. State of South Carolina with the Supreme Court on Thursday, April 2, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Armando K. Chestnut with the Court of Appeals on April 2, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Albert Brandeberry with the Supreme Court on March 31, 2015. Counsel filed the United States certiorari petition in the case of Richard Moore v. State of South Carolina (3 issues) with the United States Supreme Court on March 23, 2015. Counsel filed the petition for rehearing in the case of State v. William Pou with the Court of Appeals on March 19, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Walker Hughes on March 13, 2015. Counsel presented a power-point presentation at the SCACDL Criminal Defense Seminar on March 6, 2015. Counsel **unexpectedly** had to file (with co-counsel, David Alexander) a reply to the return to petition for extraordinary relief in the case of Marion Alexander Lindsey v. State of South

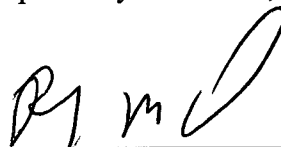
Carolina (death penalty case) with the Supreme Court on March 3, 2015. Counsel traveled to and testified at a hearing in the case of State v. Christopher Stephen Stanko on March 3, 2015. Counsel **unexpectedly had to file** (with co-counsel, David Alexander) a **petition for extraordinary relief** in the case of Marion Alexander Lindsey v. State of South Carolina (death penalty case) with the Supreme Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Victor Weldon with the Supreme Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Antonio Miller with the Supreme Court on February 25, 2015. Counsel filed the petition for rehearing in the case of Michael A. Hough v. The State of South Carolina with the Court of Appeals on February 25, 2015.

5. 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.

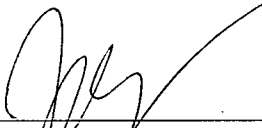
6. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until May 29, 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,



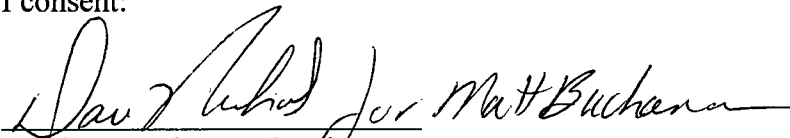
Robert M. Dudek
Chief Appellate Defender



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

This 29th day of April, 2015.

I consent:



Matthew Buchanan, Esquire