

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Allendale County  
J. Ernest Kinard, Jr., Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
MAY 04 2015  
SC Court of Appeals

THE STATE,

RESPONDENT,

V

MCKENZIE L. DAVIS,

APPELLANT

APPELLATE CASE NO 2014-001550

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

Counsel respectfully requests a **final extension of thirty (7) days until May 8, 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 fifth 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 four previous extensions.

2 **Due to a novel issue in this case that counsel has discussed with Chief Appellate Defender, Robert M. Dudek, counsel respectfully submits that extraordinary circumstances exist which warrant the granting of a final additional extension of (7) days until May 8, 2015.** 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.

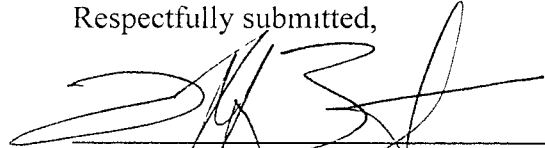
3 Counsel filed the petitioner for writ of certiorari and accompanying appendix in the case of Danny Pittman v State in the Supreme Court on April 24, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Isaac Flynn v State in the Supreme Court on April 16, 2015. Counsel filed the initial brief of appellant in the case of State v Annetta Grant in this Court on April 10, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Sean Echols in the Supreme Court on April 8, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v Phillip Hollingsworth in this Court on April 1, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Lashad Demond Brewton in this Court on March 30, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey N Grimes v State in the Supreme Court on March 30, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in Mark McCoy v State with the Supreme Court on March 25, 2015. Counsel filed the brief of appellant and record on appeal in State v. Vincent Missouri in this Court on March 23, 2015. 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 this Court 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.

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

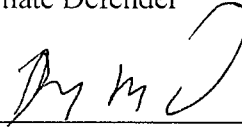
5 Counsel for the Attorney General's office consents to this request shown by signature below

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (7) day extension until May 8, 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,



Tiffany L. Butler  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

This 1st day of May, 2015

I DO NOT oppose.

  
Sailey W. Elliott

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MAY 04 2015

**SC Court of Appeals**



SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

Division of Appellate Defense  
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Columbia, South Carolina 29201-3332  
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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

May 1, 2015

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Dear Ms. Kitchings:

In absence of Hugh Ryan, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Patton Adams, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Appellate Defender, Tiffany L. Butler, seeks a 30 day extension of time to file the initial brief of appellant and designation of matter. Based on that and her extremely heavy case load, as outlined in the motion, she was unable to complete the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lisa Campbell  
Assistant Director  
South Carolina Commission on  
Indigent Defense