

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Certiorari to Richland County

Doyet A. Early, III, Circuit Court Judge

RECEIVED
MAY 06 2015
SC Court of Appeals

THE STATE,

RESPONDENT

v.

MAURICE ALPHONSO ROBERTS, JR.,

APPELLANT.

APPELLATE CASE NO. 2014-000468

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 sixteen (16) day extension, until May 22, 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. 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 for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. One major reason being that **counsel also has been training three new appellate defenders, which includes reading their briefs and certiorari petitions in advance of filing.** *Counsel regrets having to request this extension*

and will make every effort to file the brief prior to the sixteen day deadline. Counsel regrets having to make this final extension request, but it is absolutely necessary.

3. Counsel prepared for and was a trainer in the Indigent Defense training (Public Defender 103) 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 murder case of State v. Richard Bill Niles, Jr. with the Supreme Court on Thursday, April 9, 2015. Counsel had an oral argument in the murder 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, and, as stated above, training three new appellate defenders and reading all of their writings.**

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 this Court on April 2, 2015. Counsel filed the petition for writ of certiorari on the direct appeal 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

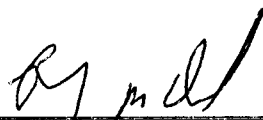
Supreme Court on March 3, 2015. Counsel traveled to Horry County and testified at the PCR hearing in the case of State v. Christopher Stephen Stanko on March 3, 2015.

5. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

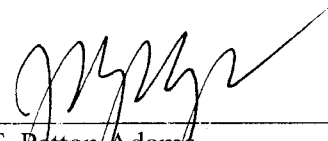
6. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final sixteen (16) day extension, until May 22, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will endeavor to file the brief before the deadline if at all possible.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



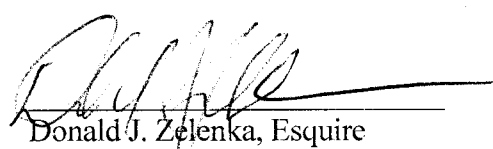
Robert M. Dudek
Chief Appellate Defender



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

This 6th day of May, 2015.

I consent:



Donald J. Zelenka, Esquire