

The South Carolina Court of Appeals

The State, Respondent,

v.

Wayland Purnell, Appellant.

Appellate Case No. 2014-001501

ORDER

On November 20, 2014, this court granted the Division of Appellate Defense's motion to appoint Sarah Theresa Eibling as co-counsel for the purpose of preparing the briefs and record and arguing the case before this court in accordance with the terms of the 2014 Appellate Practice Project. On December 5, 2014, Eibling moved to extend the time for serving and filing Appellant's initial brief and designation of matter until January 7, 2015, and we granted Eibling's motion. Eibling then moved to extend the time for serving and filing Appellant's initial brief and designation of matter until February 6, 2015, which we also granted. In May, having still not received Appellant's initial brief and designation of matter, this court contacted appellate defense and inquired as to the status of the appeal. After appellate defense contacted Eibling on May 19, 2015, a third motion for an extension of time was filed on June 3, 2015. Because Appellant's initial brief and designation of matter were 117 days late as of the filing of Eibling's most recent motion for an extension, this appeal is subject to dismissal. Rather than dismiss the appeal, we relieve Eibling as counsel and direct appellate defense to proceed with the appeal.

We grant appellate defense a 45-day extension of time in which to serve and file Appellant's initial brief and designation of matter.


FOR THE COURT C.J.

FILED
6/19/15

Columbia, South Carolina

cc:

Margaret Fent Bodman, Esquire

Salley W. Elliott, Esquire

Alan McCrory Wilson, Esquire

Robert Michael Dudek, Esquire

Sarah Theresa Eibling, Esquire