

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

---

Appeal from Lexington County

R. Keith Kelly, Circuit Court Judge

---

THE STATE,

RESPONDENT,

V.

MATTHEW GUNTER,

APPELLANT

APPELLATE CASE NO. 2015-000716

---

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

---

Counsel for Mr. Gunter respectfully requests an extension of thirty (30) days, **until September 28<sup>th</sup>, 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 Mr. Gunter respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously

ORIGINAL  
RECEIVED  
AUG 26 2015  
SC Court of Appeals

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 return to the petition for rehearing and suggestion for rehearing en banc in the case of The State v. Norman J. Hayes with the Court of Appeals on August 24, 2015. Counsel filed the Reply to the State's Return and Amended Motion to Hold Appeal in Abeyance and to Remand for a New Evidentiary Hearing Based on After-Discovered Evidence and accompanying appendix in the case of Tunzy Sanders v. State of South Carolina in the Supreme Court on August 14, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Sapp v. State of South Carolina in the Supreme Court on August 7, 2015. Counsel filed the initial brief of appellant in the case of The State v. Joseph Williams Dinkins with the Court of Appeals on August 5, 2015. Counsel filed the initial reply brief of appellant in the case of The State v. John Upson with the Court of Appeals on July 30, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard A. Green v. State of South Carolina in the Supreme Court on July 27, 2015. Counsel filed the Motion to Hold Appeal in Abeyance and to Remand for a New Evidentiary Hearing Based on After-Discovered Evidence and accompanying appendix in the case of Tunzy Sanders v. State of South Carolina in the Supreme Court on July 24, 2015.

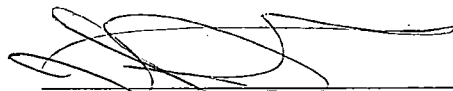
4. Counsel makes this request in good faith and not for purpose of delay.

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 September 28<sup>th</sup>, 2015**, in which to file the initial brief of appellant and

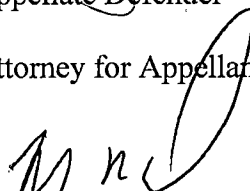
designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



John H. Strom  
Appellate Defender

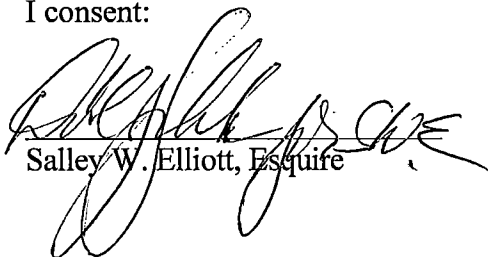
Attorney for Appellant



Robert M. Dudek  
Chief Appellate Defender

This 26<sup>th</sup> day of August, 2015.

I consent:



Salley W. Elliott, Esquire