

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
Perry Buckner, Circuit Court Judge

 ORIGINAL

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SEP 18 2015

SC Court of Appeals
RESPONDENT,

THE STATE,

v.

JAMES GARDNER,

APPELLANT

APPELLATE CASE NO. 2015-000286

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brian Gaines v. State with the Supreme Court on September 14, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lester Mosley with this Court on September 11, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Julius Manigault with this Court on September 10, 2015. Counsel

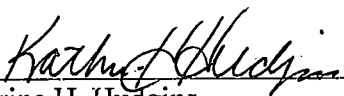
filed the initial brief of appellant and designation of matter in the case of State v. David Chiles Jr. with this Court on August 26, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brian Garris v. State with the Supreme Court on August 26, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keion Griffin v. State with the Supreme Court on August 26, 2015. Counsel filed the brief of petitioner in the case of Reginald Montgomery v. State with the Supreme Court on August 19, 2015.

3. This request is made in good faith, and not for purposes 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.

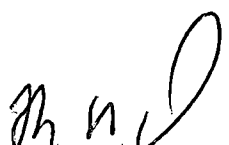
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



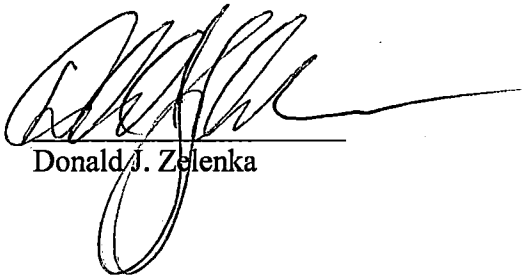
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

September 18, 2015

I DO NOT OPPOSE:

A handwritten signature in black ink, appearing to read 'D. Zelenka', written over a horizontal line. The signature is stylized and cursive.

Donald J. Zelenka