

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Donald B. Hocker, Circuit Court Judge

 ORIGINAL

RECEIVED

SEP 25 2015

RESPONDENT, SC Court of Appeals

THE STATE,

V.

TAMARQUIS ANTWAIN WINGATE,

APPELLANT

APPELLATE CASE NO. 2014-002717

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 thirty day day extension, until October 26, 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 respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel will attend **the Board meeting** of the South Carolina Commission on Indigent Defense **today**. Counsel prepared for and **presented his Case Law Update presentation for the 2015 Annual Public Defender Conference held September 21-23, 2015**, in Myrtle Beach, South Carolina. Counsel filed the brief of appellant and record on appeal in the case of State v. Tre'Vaughn

Jackson with this Court on September 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Vernon Michael Wilcox v. State with the Supreme Court on September 8, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sandy Lynn Westmoreland with this Court on August 31, 2015. Counsel presented on warrantless searches at the 2015 Magistrate Advisory Council Intensive Training Seminar on August 18, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Calvert Myers with this Court on August 14, 2015. Counsel filed the reply brief in the case of State v. Christina Reece with this Court on August 13, 2015. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of State v. Raheem D. King with the Supreme Court on August 6, 2015. Counsel filed the brief of respondent and designation of matter in the case of State v. Whitlee Jones with the Supreme Court on July 29, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Raheem D. King with the Supreme Court, on July 27, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Gary R. Dargan with this Court on July 24, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Robert Lee Moore with this Court on July 17, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Tawanda Allen with the Supreme Court on July 16, 2015. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training three new appellate defenders and reading all of their writings.**

4. 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.

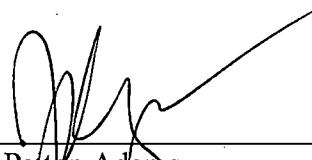
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension until October 26, 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,



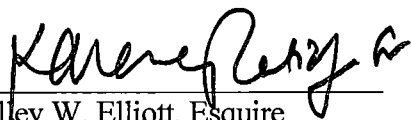
Robert M. Dudek
Chief Appellate Defender



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

This 25th day of September, 2015.

I consent:



Salley W. Elliott, Esquire