

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY

Thomas A. Russo, Circuit Court Judge

THE STATE,

V.

LANCE L. MILES,

RESPONDENT,

APPELLANT

APPELLATE CASE NO. 2015-000308

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 **fourth and final** extension of thirty (30) days until **November 8, 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 fourth 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 three previous extensions.
2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

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previously 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 initial brief of appellant and designation of matter in the case of The State v. John Henry Lowery with the Court of Appeals on September 11, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Allen Moore v. State of South Carolina in the Supreme Court on September 9, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Demario Thompson with the Court of Appeals on September 9, 2015. Counsel filed the brief of petitioner and accompanying appendix in the case of Jarvis Gibbs v. State of South Carolina in the Supreme Court on September 4, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Crystal Turner v. State of South Carolina in the Supreme Court on August 27, 2015. 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.

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

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

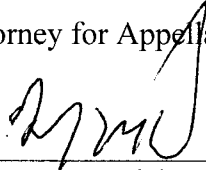
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension** until **November 8, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

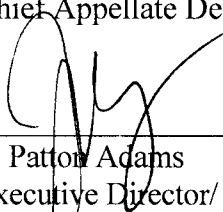


John H. Strom
Appellate Defender

Attorney for Appellant



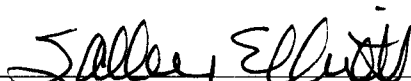
Robert M. Dudek
Chief Appellate Defender



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

This 7th day of October, 2015.

I consent:



Salley W. Elliot, Esquire