

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Spartanburg County  
Roger L. Couch, Circuit Court Judge

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STATE,

V.

ERIC LAMONT OWENS,

**ORIGINAL**  
**RECEIVED**  
NOV 04 2015  
RESPONDENT, SC, Court of Appeals

APPELLANT

APPELLATE CASE NO. 2015-000927

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

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Counsel for Eric Lamont Owens respectfully requests a **fourth and final** extension of thirty (30) **until December 4, 2015**, days 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 Eric Lamont Owens respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions 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 a return to petition for writ of certiorari in the case of The State v. Noah Mumford with the Supreme Court on October 29, 2015. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Noah Mumford v. The State on October 29, 2015. Counsel filed a petition for rehearing in the case of The State v. William Donald Bolt on October 22, 2015 with the Court of Appeals. Counsel had an oral argument in the case of The State v. Jason Allen Johnson before the Supreme Court on October 20, 2015. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of The State v. Sheldon Lamar Kelly with the Supreme Court on October 14, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Chad Junior Bussell with the Court of Appeals on October 13, 2015. Counsel had an oral argument before the Supreme Court on October 6, 2015 in the case of The State v. Kevin T. Bennett. Due to weather conditions experienced in Columbia, State offices were closed on October 5, 6, 8, and 9, 2015. On September 30, 2015, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth D. Smith v. State of South Carolina with the Supreme Court on September 28, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lorenzo Bernard Young with the Court of Appeals. On September 10, 2015 counsel had an oral argument before the Court of Appeals in the case of The State v. William Bolt. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Rishawn Reeder v. The State with the Supreme Court on September 8, 2015. Counsel filed a return to petition for writ of certiorari to the Court of Appeals in the case of Charles Ray Dean v. State of South Carolina with the Supreme Court on September 8, 2015. On August 31, 2015, counsel had two hearings in the Circuit Court: a hearing in Orangeburg County before the Honorable Deadra L. Jefferson in State v. Tykeem May; and a hearing in Chesterfield County held before the Honorable Larry B. Hyman, Jr. in Noah Mumford v. State. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Jeffrey Riebe v. The State, with the Supreme Court on August 27, 2015. Counsel filed the initial brief

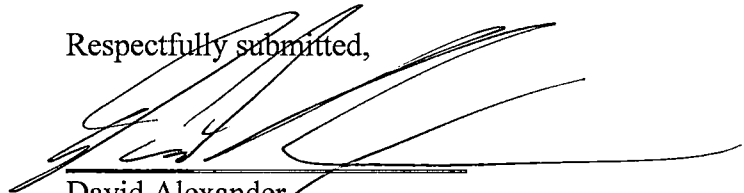
of appellant and designation of matter in the case of The State v. Tyrone D. Ellison with the Court of Appeals on August 25, 2015. Counsel filed a return to petition for writ of certiorari in the case of The State v. Erick Arroyo with the Supreme Court on August 14, 2015. Counsel filed a petition for certiorari and accompanying appendix in the case of Jeremiah Turner v. State of South Carolina with the Supreme Court on August 13, 2015. Counsel filed the petition for rehearing in the case of The State v. James Allen Johnson on August 12, 2015 with the Court of Appeals. Counsel filed the brief of petitioner in the case of Brenda Gail Cutro v. State of South Carolina on August 12, 2015 with the Supreme Court. Counsel filed a petition for rehearing in the case of The State v. Sheldon Lamar Kelly on August 12, 2015 with the Court of Appeals. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Quanell Marquan McIlwain with the Court of Appeals on August 10, 2015. Counsel filed the final brief of appellant in the case of The State v. Jimmy Turner, with the Court of Appeals on August 5, 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.

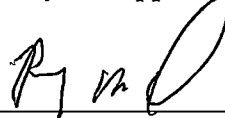
WHEREFORE, the undersigned counsel would respectfully request **a fourth and final thirty (30) day extension until December 4, 2015, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



David Alexander  
Appellate Defender

Attorney for Appellant



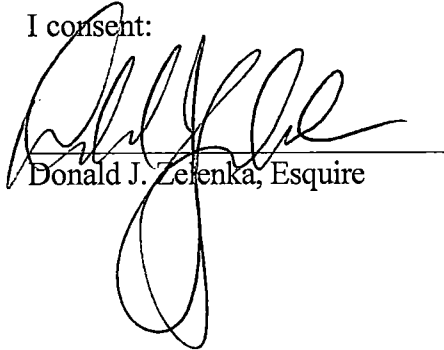
Robert M. Dudek  
Chief Appellate Defender



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

This 4<sup>th</sup> day of November, 2015.

I consent:



Donald J. Zelenka, Esquire