

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Anderson County

Alexander S. Macaulay., Circuit Court Judge

THE STATE,

RESPONDENT

RECEIVED

v.

NOV 23 2015

SC Court of Appeals

TIMOTHY CROSBY

APPELLANT

APPELLATE CASE NO. 2015-000325

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

Counsel for Timothy Crosby respectfully requests a **fourth and final** extension of thirty (30) 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 Timothy Crosby 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Kendall Baccus v. The State with the Supreme Court on November 19, 2015. Counsel filed a petition for writ of certiorari in the case of Shawn Reaves v. The State with the United States Supreme Court on November 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Byers v. The State in the Supreme Court on November 12, 2015. Counsel filed return to appellant's *pro se* motion to substitute counsel in the case of Arthur Moseley v. The State with the Court of Appeals on November 12, 2015. Counsel filed petition for writ of certiorari and the accompanying Johnson petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Derrick J. George v. The State with the Supreme Court on November 5, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Eric Spears with the Court of Appeals on October 29, 2015. Counsel filed the petition for rehearing in the case of The State v. Alfonzo Alexander with the Court of Appeals on October 27, 2015. Counsel filed a petition for writ of certiorari in the case of Christopher Whitehead v. The State with the United States Supreme Court on October 22, 2015. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Reginald Spellman v. The State with the Supreme Court on October 15, 2015. Counsel filed Anders brief of appellant and designation of matter in the case of The State v. Craig Pinckney in the Court of Appeals on October 7, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Edward Williams with the Court of Appeals on September 30, 2015. Counsel filed return to motion to seal initial brief of respondent in the case of The State v. Arthur Moseley in the Court of Appeals on September 28, 2015.

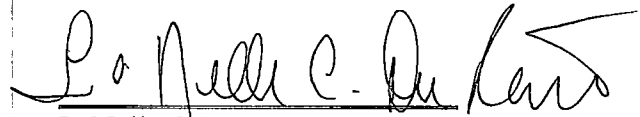
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

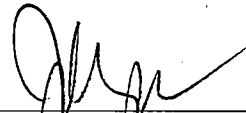


LaNelle C. Durant
Appellate Defender

Attorney for Appellant



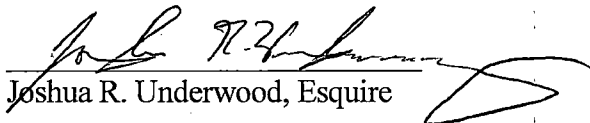
Robert M. Dudek
Chief Appellate Defender



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

This 23rd day of November, 2015.

I consent:



Joshua R. Underwood, Esquire