

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County  
Steven H. John, Circuit Court Judge

RECEIVED

STATE,

RESPONDENT, DEC 14 2015  
SC Court of Appeals

V.

THOMAS JAMES,

APPELLANT

APPELLATE CASE NO. 2014-002326

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

Counsel for Thomas James respectfully requests a **final seventeen (17) day extension until December 31, 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 transcript in this case is **1,199 pages long**.
2. Counsel for Thomas James 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.

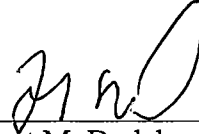
3. Counsel today, December 14, 2015, is filing a petition for writ of certiorari in the Supreme Court in two cases: Anthony Edwards v. State and Andrew Plummer v. State. On December 7, 2015, counsel had an oral argument in the case of The State v. Bradley Gerald Mullins before this Court. On December 2, 2015, counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Calvin Jermaine Pompey with the Supreme Court. On December 1, 2015, counsel had an oral argument in the case of The State v. Tawanda Allen before this Court. On November 20, 2015, counsel filed an amended initial brief in the case of The State v. Bryan Rearick with the Supreme Court. On November 12, 2015, counsel, along with co-counsel Lara M. Caudy, filed a petition for rehearing in the case of The State v. Don-Survi Chisolm on with this Court. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jalann Williams with this Court on November 10, 2015. Counsel filed a return to petition for writ of certiorari in the case of Marshall H. Collins v. State with the Supreme Court on October 30, 2015. Counsel filed an initial brief of appellant and designation of matter in State v. Jason Kinloch with this Court on October 16, 2015. Counsel held an oral argument before this Court in the case of State v. Nathaniel Witherspoon on October 14, 2015. Counsel held an oral argument before this Court in the case of James Clayton Helms v. State on October 13, 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 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 **final extension until December 31, 2015**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

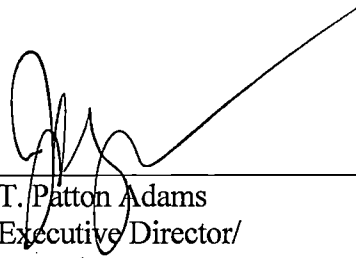
Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

Attorney for Appellant

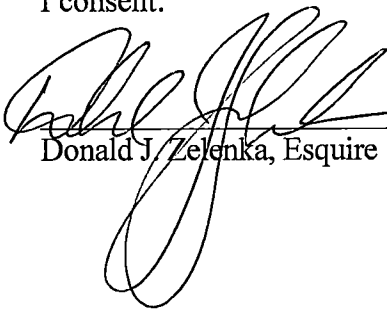


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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 14<sup>th</sup> day of December, 2015.

I consent:



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Donald J. Zelenka, Esquire