

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

APPEAL FROM GREENWOOD COUNTY

DEC 23 2015

Frank R. Addy, Circuit Court Judge

**SC Court of Appeals**

Appellate Case No. 2015-000980

The State, ..... Respondent,

v.

Tavarious Settles, ..... Appellant.

**MOTION FOR EXTENSION OF TIME**

Pursuant to Rules 240 and 263(b), SCACR, Appellant Tavarious Settles respectfully moves this Court for an extension of time in which to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. In support of this Motion, Mr. Settles states as follows:

1. Appointed Counsel for Mr. Settles was appointed by Order of the Court on October 21, 2015.

2. Under the same Order, the due date for Mr. Settles' Initial Brief was set for January 11, 2016.

3. Appointed Counsel is informed that Appellate Defense requested, and was granted, one extension previously to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal.

4. Appointed Counsel for Mr. Settles respectfully requests an extension of time of 30 days to file the Initial Appellants Brief and Designation of Matter to be Included in the Record on Appeal in order to adequately study the sizeable record and provide meaningful defense to Mr. Settles as a part of the Appellate Practice Project. Appointed Counsel also has work schedule conflicts coinciding with the current due date.

5. If the Court grants this request, Counsel for Mr. Settles calculates that Initial Appellants Brief will be due on February 10, 2016.

6. This is the first request for an extension by Appointed Counsel for Mr. Settles in this appeal.

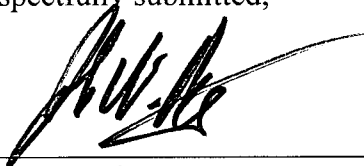
7. This request is made in good faith, and not for purposes of delay.

8. Counsel for Mr. Settles has consulted with Counsel for the State, and the State has no objection to this request.

Counsel for Appellant Mr. Settles therefore respectfully requests that this Court grant this Motion and extend the time for filing the Initial Appellants Brief and Designation of Matter to be Included in the Record on Appeal until February 10, 2016.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



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John W. Roberts  
**WILLOUGHBY & HOEFER, P.A.**  
Post Office Box 8416  
Columbia, South Carolina 29202-8416  
(803) 252-3300

Robert M. Dudek  
Chief Appellate Defender  
**SOUTH CAROLINA COMMISSION ON  
INDIGENT DEFENSE**  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201  
(803) 734-1330

Counsel for Appellant Tavarious Settles

Columbia, South Carolina  
December 23, 2015

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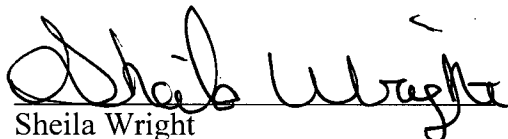
Tavarious Settles, .....Appellant.

**Certificate of Service**

This is to certify that I, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Appellant's Motion for Extension of Time** by hand delivery to the following:

Robert M. Dudek  
Chief Appellate Defender  
SOUTH CAROLINA COMMISSION ON  
INDIGENT DEFENSE  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201

Donald J. Zelenka  
Senior Assistant Deputy Attorney General  
South Carolina Attorney General's Office  
1000 Assembly Street  
Columbia, S.C. 29201

  
Sheila Wright

Columbia, South Carolina  
This 23<sup>rd</sup> day of December 2015

**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

MITCHELL M. WILLOUGHBY  
JOHN M.S. HOEFER  
RANDOLPH R. LOWELL\*\*  
TRACEY C. GREEN  
BENJAMIN P. MUSTIAN\*\*  
ELIZABETH ZECK\*  
ELIZABETHANN LOADHOLT CARROLL  
CHAD N. JOHNSTON  
JOHN W. ROBERTS  
ANDREW J. D'ANTONI

AREA CODE 803  
TELEPHONE 252-3300  
TELECOPIER 256-8062

ELIZABETH S. MABRY  
OF COUNSEL

\*ALSO ADMITTED IN TX

\*\*ALSO ADMITTED IN WASHINGTON, D.C.

December 23, 2015

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

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**SC Court of Appeals**

Re: *The State v. Tavarious Settles*;  
Appellate Case No. 2015-000980

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the **Motion for Extension of Time** to file the Initial Brief of Appellant and Designation of Matter to be Included in the Appeal, of Appellant Tavarious Settles, along with a Certificate of Service. Please file-stamp the extra copy and return it via my courier.

Thank you for your time and consideration. If you have any questions or if you need any additional information, please do not hesitate to contact me.

Very truly yours,

**WILLOUGHBY & HOEFER, P.A.**



John W. Roberts

Enclosures

cc: Robert M. Dudek, Esquire (via hand delivery with enclosures)  
Donald J. Zelenka, Esquire (via hand delivery with enclosures)