

5th AFB due 1/8/16

3

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL
RECEIVED

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

JAN 08 2016
SC Court of Appeals

STATE,

RESPONDENT,

V.

DALONTE GREEN,

APPELLANT

APPELLATE CASE NO. 2015-001059

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

Counsel for Dalonte Green respectfully requests a **final thirty (30) day extension, until February 8, 2016**, 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 fifth 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 four previous extensions.

2. Counsel for Dalonte Green 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. On January 7, 2016, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenyatta Bryant v. The State of South Carolina with the Supreme Court. On January 6, 2016, counsel had an oral argument in the case of The State v. David Judson Penn before this Court. On December

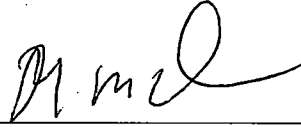
31, 2015 counsel filed an initial reply brief in the case of The State of South Carolina v. Ricky Lee Blackwell with the Supreme Court. On December 29, 2015 counsel filed a petition for rehearing in the case of The State of South Carolina v. Nathaniel Witherspoon with this Court. On December 29, 2015, counsel also filed another petition for rehearing in the case of The State v. Andrew Antonio Clemons with this Court. On December 14, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Anthony Edwards v. The State of South Carolina with the Supreme Court. On December 14, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in the case of Andrew S. Plummer v. State of South Carolina with the Supreme Court. 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 the Supreme 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 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 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.

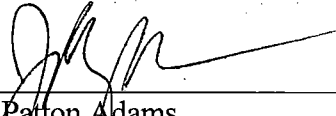
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until February 8, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

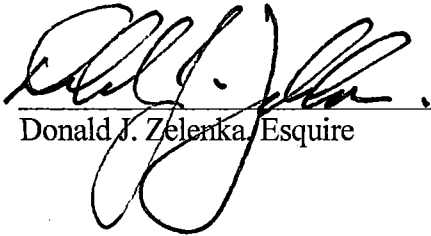
Attorney for Appellant



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

This 8th day of January, 2016.

I consent:



Donald J. Zelenka Esquire