

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JAN 22 2016

SC Court of Appeals

Appeal from Saluda County
R. Knox McMahon, Circuit Court Judge

STATE,

RESPONDENT,

V.

ROBERT LYNN SHEALY,

APPELLANT

APPELLATE CASE NO. 2015-000511

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel filed the reply brief of petitioner in the case of Brenda Gail Cutro v. State with the Supreme Court on January 21, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Edward Clarkson v. State with the Supreme Court on January 20, 2016. Counsel filed the brief of appellant and designation of matter in the case of State v. Alicia Adderly with the Court of Appeals on January 13, 2016. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. William Bolt with the Supreme

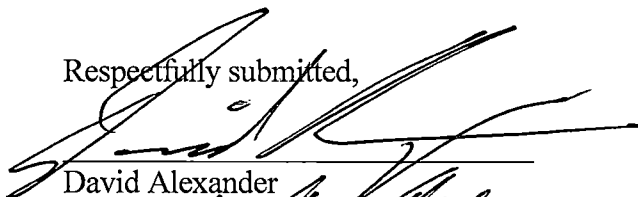
Court on January 7, 2016. Counsel filed a return to petition for writ of certiorari in the case of State v. Brandon Garren with the Supreme Court on January 7, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kadrin Singleton with the Court of Appeals on January 6, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of William Whitfield v. State with the Supreme Court on January 6, 2016. Along with co-counsel Chief Appellate Defender Robert M. Dudek, on December 31, 2015, counsel filed the initial reply brief of appellant in the Supreme Court in the capital case of State v. Ricky Blackwell. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Supreme Ackbar v. State with the Supreme Court on December 11, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Tykeem May with the Court of Appeals on December 10, 2015. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Lamar Brown with the Supreme Court on November 30, 2015. Counsel filed the brief of appellant and designation of matter in the case of State v. Eric Owens with the Court of Appeals on November 25, 2015.

3. This request is made in good faith, and not for purposes 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.

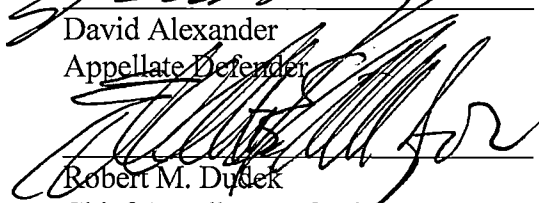
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



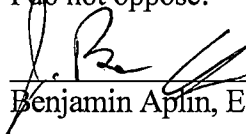
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 22, 2016

I do not oppose:



Benjamin Aplin, Esquire