

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Appeal from Lexington County
Thomas A Russo, Circuit Court Judge

FEB 08 2016
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

CHAD STEPHEN HAYES,

APPELLANT,

Appellate Case No.: 2014-001717

**MOTION FOR FOURTH EXTENTION OF TIME TO FILE INITIAL
BRIEF OF APPELLANT AND DESIGNATION OF MATTER**

Appellant, Chad Hayes, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Appellant and Designation of Matter due to be filed February 10, 2015. This is undersigned counsel's second request for extension of time and maintains that there are extraordinary circumstances which require this request, to which undersigned counsel respectfully states:

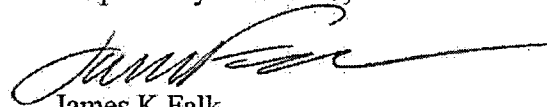
1. The initial brief and designation of matter were due January 10, 2016. Counsel requested and sought a 30 day extension of time and was granted an extension until February 10, 2016.

2. Sometime in January 2016, counsel determined that in order to best represent his client he needed to add an issue to raise on this appeal. In order to address this issue, counsel needed to review State's Exhibit #76, which consists of a video tape of a forensic interview that was published to the jury but the content of the interview was not transcribed in the trial transcript.
3. Counsel experienced difficulty in obtaining a complete digital copy of State's Exhibit 76 that he could open and play. Counsel now has obtained a working copy of State's Exhibit 76.
4. During the week of January 18, 2016 counsel had to prepare for eight PCR hearings: Frank Middleton v. State, 2014-CP-10-5043; Travaris Walker v. State, 2014-CP-10-6748; Orlando Richardson v. State, 2013-CP-10-6337; Michael Nelson v. State, 2014-CP-10-4005; Deangelo Mitchel v State, 2014-CP-10-5358; Arthur Peterson v State, 2014-CP-10-2878; and Roji Gilliard v. State, 2014-CP-10-7859.
5. During the week of February 8, 2016 counsel has eleven PCR hearings and two SVP probable cause hearings: Michael Wilson v. State, 2013-CP-26-00469; Greg Green v. State, 2014-CP-26-7332; Christopher Stephens v. State, 2014-CP-26-7977; James Bryant v. State, 2014-CP-22-0812; Samuel Grier v State, 2012-CP-22-1222; John Sessions v State, 2014-CP-26-5918; Antoine Days v State, 2014-CP-26-7839; Roshod Baker v State, 2015-Cp-26-00475; Lynel Witherspoon v State, 2014-CP-26-8292; Bernardo Evans v. State, 2015-Cp-26-00709; LeArthur Hills v State, 2015-CP-26-2226; In Re Michael Cardwell, 2016-CP-22-00025; and In Re Kenneth Martin, 2015-CP-26-07485.
6. The delay in obtaining State's Exhibit 76 along with the extraordinary number of PCR hearing in the last four weeks has made this request necessary. Counsel has very few court

hearings and or trial commitments the weeks of February 15th, and 22nd, that he expects the Initial Brief and Designation of Matter to be completed well within thirty (30) more days.

THEREFORE, undersigned counsel for Appellant respectfully requests an additional extension of thirty (30) days in which to complete the Initial Brief of Appellant and Designation of Matter.

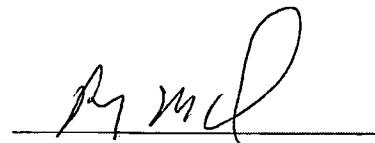
Respectfully Submitted,



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February 8, 2016



Robert Dudek
South Carolina Office for Indigent Defense