

ORIGINAL

STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY

Frank R. Addy, Circuit Court Judge

RECEIVED

FEB 29 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MORRIS RAY PETERS,

APPELLANT

APPELLATE CASE NO. 2015-001382

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

Counsel for appellant respectfully requests an extension of thirty (30) days, **until March 30, 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 third 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 two previous extensions.
2. Counsel for appellant 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 filed the petition for writ of certiorari and accompanying appendix in the case of Danny Cortez Brown v. The State of South Carolina in the Supreme Court on February 22, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Mejean with the Court of Appeals on February 16, 2016. Counsel had an oral argument in the case of The State v. O'neal Bernard Byrdic, Jr. in the Court of Appeals on February 9, 2016. Counsel filed the petition for rehearing in the case of The State v. James Clyde Dill with the Court of Appeals on January 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gregg C. Hiers v. The State of South Carolina in the Supreme Court on January 13, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Curtis Nealey v. The State of South Carolina in the Supreme Court on December 29, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tunzy Sanders v. State of South Carolina in the Supreme Court on December 21, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Russell Alan Tupper with the Court of Appeals on December 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fredrick Martineze Pearson v. State of South Carolina in the Supreme Court on December 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Terrance D. Patterson v. State of South Carolina in the Supreme Court on December 14, 2015.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

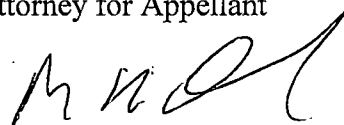
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until March 30, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



John H. Strom
Appellate Defender


Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 29th day of February, 2016.

I consent:


Benjamin Aplin, Esquire