

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

RECEIVED  
FEB 29 2016  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

WALTER SCOTT GARRETT,

APPELLANT

APPELLATE CASE NO. 2015-001526

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

Counsel for Walter Scott Garrett respectfully requests a fourth 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 fourth 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.
2. Counsel for Walter Scott Garrett 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 February 25, 2016 counsel filed a petition for rehearing in the case of State v. Ryan P. Deleston with this Court. On February 18, 2016, counsel filed the return to petition for writ of certiorari in the case of Edward Rorecuse Young v. State with the Supreme Court. On February 18, 2016, counsel was co-counsel on the death penalty initial brief of appellant in the case of State v. Luzenski Allen Cottrell that was filed with the Supreme Court. On February 12, 2016, counsel filed the return to petition for writ of certiorari in the case of David Carmichael v. State with the Supreme Court. On February 8, 2016, counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Don-Survi Chisolm with the Supreme Court. On January 29, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Samuel Thompson, Jr. v. State in the Supreme Court. On January 25, 2016, counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Harold Bennon Cartwright with the Supreme Court. On January 15, 2016, counsel filed the initial brief of appellant and designation of matter in the case of State v. Thomas James with this Court. On January 13, 2016, counsel has an oral argument in the case of State v. Whitlee Jones with the Supreme Court. On January 12, 2016, counsel had an oral argument in the case of State v. Antonio Miller with the Supreme Court. On January 7, 2016, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenyatta Bryant v. State with the Supreme Court. On January 6, 2016, counsel had an oral argument in the case of State v. David Judson Penn before this Court. On December 31, 2015 counsel filed an initial reply brief in the case of State v. Ricky Lee Blackwell with the Supreme Court. On December 29, 2015 counsel filed a petition for rehearing in the case of State v. Nathaniel Witherspoon with this Court. On December 29, 2015, counsel also filed another petition for rehearing in the case of State v. Andrew Antonio Clemons with this Court. **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.

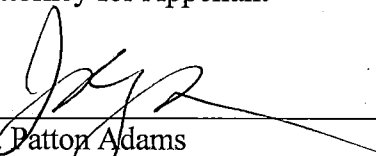
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request fourth thirty (30) 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.

Respectfully submitted,

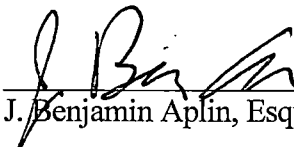
  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

Attorney for Appellant

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

This 29<sup>th</sup> day of February, 2016.

I consent:

  
\_\_\_\_\_  
J. Benjamin Aplin, Esquire