

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Deadra L. Jefferson, Circuit Court Judge

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MAR 04 2016

SC Court of Appeals

STATE,

RESPONDENT,

V.

KENDALL JEROME TYUS, JR.,

APPELLANT

APPELLATE CASE NO. 2015-001739

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 a petition for writ of certiorari in the case of David Gerrard Johnson v. State in the Supreme Court of the United States on March 1, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Wayne Gary Polite in this Court on February 22, 2016. Counsel filed the petition for rehearing in the case of State v. Tyrel R. Collins in this Court on February 4, 2016. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Marty Baggett in the Supreme Court on February 1,

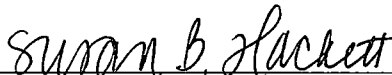
2016. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of Edward Whitner v. State in the Supreme Court on January 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wesley Gore v. State in the Supreme Court on January 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Robinson v. State in the Supreme Court on January 19, 2016. Counsel filed the Anders brief of Appellant and Record on Appeal in the case of State v. Jim Edward Feagin in this Court on January 14, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix and the brief of appellant pursuant to White v. State in the case of Robert S. Horton v. State in the Supreme Court on January 8, 2016. Counsel filed the petition for an order to reconstruct the record of appellant's trial transcript, or, in the alternative, an order setting aside his convictions and ordering a new trial in the case of State v. Ivory Blackshire in this Court on January 4, 2016. Counsel filed the Anders brief of Appellant and Record on Appeal in the case of State v. Roemain Jamil Brunson in this Court on December 29, 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.

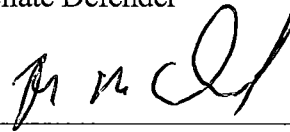
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

March 4th, 2016

I do not oppose:



J. Benjamin Aplin, Esquire