

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County
Roger M. Young, Circuit Court Judge

RECEIVED
FEB 12 2016
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ELIAS JAMES WALKER,

APPELLANT

APPELLATE CASE NO. 2014-001462

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

Counsel for Elias James Walker respectfully requests a **final thirty (30) day extension, until March 14, 2016**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the brief and designation before that deadline if at all possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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 Elias James Walker 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 today, February 12, 2016 is filing the return to the petition for writ of certiorari in David Carmichael v. State in the Supreme Court. Counsel is also working on the death penalty record on

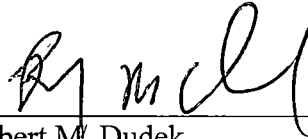
appeal, a sealed version and a redacted version, as ordered by the Supreme Court which is an extensive undertaking, and those Records are due Tuesday, February 16, 2016. Counsel is also working on the death penalty case of Anthony Woods v. State, with an Appendix of 5,452 pages. Counsel also filed a petition for writ of certiorari with the Supreme Court in Samuel Thompson v. State on January 29, 2016. On January 15, 2016, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Thomas James with this Court. On January 13, 2016, counsel had an oral argument in the case of The State of South Carolina v. Whitlee Jones with the Supreme Court. On January 12, 2016, counsel had an oral argument in the case of The State of South Carolina 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. The State of South Carolina with the Supreme Court. On January 6, 2016, counsel had an oral argument in the case of The State v. David Judson Penn before this Court. On December 31, 2015 counsel filed an initial reply brief in the case of The State of South Carolina v. Ricky Lee Blackwell with the Supreme Court. On December 29, 2015, counsel also filed a petition for rehearing in the case of The State v. Andrew Antonio Clemons with this Court. On December 29, 2015 counsel filed a petition for rehearing in the case of The State of South Carolina v. Nathaniel Witherspoon with this Court. On December 14, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Anthony Edwards v. The State of South Carolina with the Supreme Court. On December 14, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in the case of Andrew S. Plummer v. State of South Carolina with the Supreme Court. **Counsel also has extensive administrative duties as the Chief Appellate Defender including the reading of all filings of three new Appellate Defenders before they are filed, and Appellate Project oversight.**

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

5. Counsel for the Attorney General's office does not oppose this request as shown by the signature below.

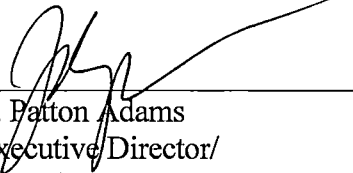
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until March 14, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the brief before that deadline if at all possible given previous extensions.** Counsel requests that the deadlines be held in abeyance pending a ruling on this petition.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant



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

This 12th day of February, 2016.

I consent:



J. Benjamin Aplin, Esquire