

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Michael G. Nettles, Circuit Court Judge

RECEIVED

APR 06 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MICHAEL D. BROOKS,

APPELLANT

APPELLATE CASE NO. 2015-001384

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 the initial brief of appellant and designation of matter in the case of The State v. Waymon Eugene Newton on March 30, 2016 with this Court. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Steven McElrath v. The State of South Carolina on March 18, 2016 with the Supreme Court. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Mickey Lane Mayberry v. The State

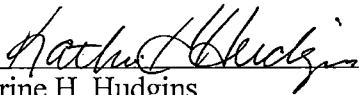
of South Carolina on March 18, 2016 with the Supreme Court. Counsel filed a petition for rehearing in the case of Willis Weary v. The State of South Carolina on March 15, 2016 with this Court. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Gentile on March 9, 2016 with this Court. Counsel filed a petition for rehearing in the case of The State v. Sammy Lee Scarborough on March 4, 2016 with this Court. Counsel filed a petition for rehearing in the case of Stephen Smalls v. The State on February 22, 2016, with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marshall Dewitt McGaha v. The State on February 22, 2016, with the Supreme Court. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Gary R. Thompson on February 22, 2016, with the Supreme Court. Counsel filed the brief of petitioner in the case of Willie J. Adams v. The State on February 22, 2016 with the Supreme Court. Counsel filed the Initial Reply Brief in the case of State v. Preston Oates with this court on February 11, 2016. Counsel presented an oral argument in this Court in the case of State v. Anthony Bailey on February 10, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph Martin with this court on February 3, 2016.

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.

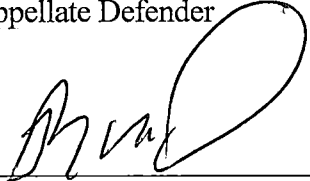
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



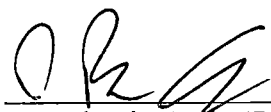
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

April 6, 2016

I do not oppose:



J. Benjamin Aplin, Esquire