

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Pickens County
John C. Hayes, III, Circuit Court Judge

RECEIVED

APR 06 2016

RESPONDENT

SC Court of Appeals

STATE,

V.

JONATHAN M. HOLDER,

APPELLANT

APPELLATE CASE NO. 2015-001185

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

Counsel for Jonathan M. Holder respectfully requests a **fourth and final** extension of thirty (30) **until May 6, 2016**, days 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. The Court has granted counsel three previous extensions.
2. Counsel for Jonathan M. Holder 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 a petition for rehearing in the case of State v. Gerald Barrett with the Court of Appeals on April 5, 2016. Counsel filed the initial reply brief in the case of In the Matter of the Care and Treatment of Daquan Johnson with the Supreme Court on March 31, 2016. Counsel filed the brief of appellant and designation of matter in the case of State v. Jeremiah Johnson with the Court of Appeals on March 30, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Keith Gadsden v. State with the Supreme Court on March 24, 2016. Counsel had an oral argument in the case of State v. Willie Williams before the Court of Appeals on March 9, 2016. Counsel had an oral argument in the case of Darrell Goss v. State before the Court of Appeals on March 7, 2016. Along with co-counsel Chief Appellate Defender Robert M. Dudek, on February 29, 2016, counsel filed a motion for stay, for a new PCR hearing before a different circuit judge, and, alternatively, to alter or amend the judgment pursuant to Rule 59(e) in the death penalty case of Marion Lindsey v. State with the Court of Common Pleas in Spartanburg County. Along with co-counsel Chief Appellate Defender Robert M. Dudek, on February 26, 2016, counsel filed a renewed petition for extraordinary relief in the Supreme Court's original jurisdiction in the death penalty case of Marion Lindsey v. State. Counsel filed the initial reply brief in the case of In the Matter of the Care and Treatment of Jeffrey Allen Chapman with the Supreme Court on March 2, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Jeremy Wright v. State with the Supreme Court on February 17, 2016. Counsel is assisting in the preparation of the record on appeal in the death penalty case of State v. Ricky Blackwell. Counsel filed the brief of appellant and designation of matter in the case of State v. William Zeigler with the Court of Appeals on February 11, 2016. Counsel filed a petition for rehearing in the case of State v. Zinah Jennings with the Court of Appeals on February 10, 2016.

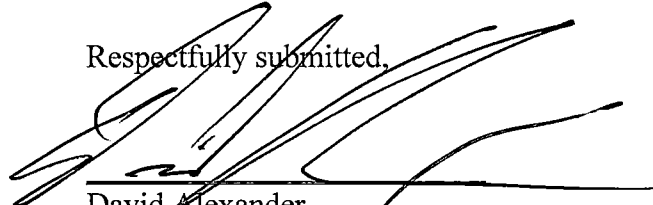
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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.

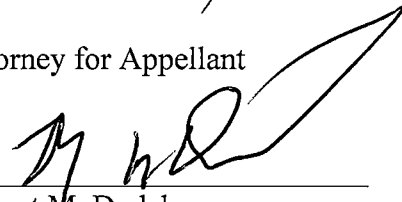
WHEREFORE, the undersigned counsel would respectfully request **a fourth and final thirty (30) day extension until May 6, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



David Alexander
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 6th day of April, 2016.

I consent:



Benjamin Aplin, Esquire