

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

THE STATE,

RECEIVED

RESPONDENT, MAY 06 2016

SC Court of Appeals

V.

MICHAEL D. BROOKS,

APPELLANT

APPELLATE CASE NO. 2015-001384

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

Counsel for Michael D. Brooks respectfully requests a **fourth and final** extension of thirty (30) days, **until June 6, 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. The Court has granted counsel three previous extensions.
2. Counsel for Michael D. Brooks 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 her caseload, counsel hopes that no further extension requests will be required.

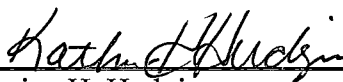
3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Sammy Lee Scarborough on May 4, 2016 with the Supreme Court. Counsel filed the initial reply brief in the case of The State v. Ralph Martin on May 2, 2016 with this Court. Counsel filed the initial reply brief in the case of The State of South Carolina v. Tony Vernon Jordan on April 28, 2016 with this Court. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Maurice Glover v. The State of South Carolina on April 20, 2016 with the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher E. Martin on April 18, 2016 with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon Heath Clark v. The State of South Carolina on April 6, 2016 with the Supreme Court. 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.

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.

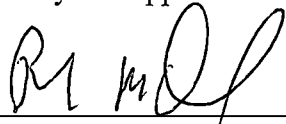
5. Counsel for the Attorney General's office consents to this request shown by signature below.

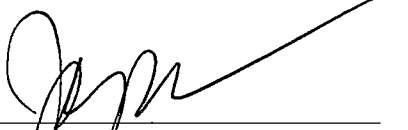
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **June 6, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender

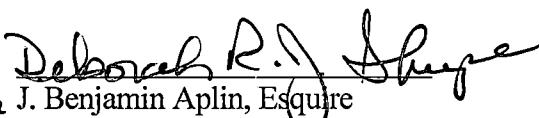
Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender


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

This 6th day of May, 2016.

I consent:


for J. Benjamin Aplin, Esquire