

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
Robert E. Hood, Circuit Court Judge

RECEIVED

MAY 09 2016

SC Court of Appeals

STATE,

RESPONDENT,

V.

MICHAEL JUAN SMITH,

APPELLANT

APPELLATE CASE NO. 2015-001905

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 State v. Jonathan Holder with the Court of Appeals on May 6, 2016. Counsel had an oral argument in the case of Jason Kinloch v. State before the Court of Appeals on May 2, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Joseph Cobb v. State with the Supreme Court on April 28, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of William Rice v. State with the Supreme Court on April

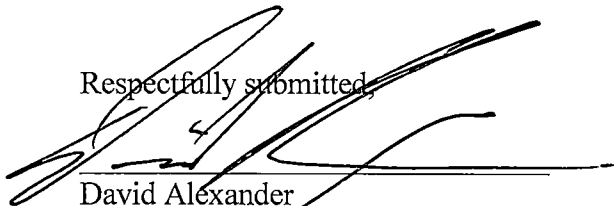
26, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Bobby Sims with the Court of Appeals on April 25, 2016. Counsel had an oral argument in the case of State v. Matthew Medley before the Court of Appeals on April 19, 2016. Along with co-counsel Chief Appellate Defender Robert M. Dudek, counsel had an oral argument in the death penalty case of State v. Ricky Blackwell before the Supreme Court on April 13, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gerald Williams with the Court of Appeals on April 6, 2016. 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.

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.

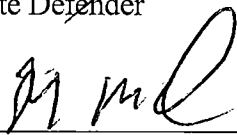
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



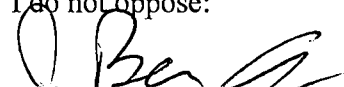
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

May 9, 2016

I do not oppose:


Benjamin Aplin, Esquire