

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lexington County
Doyet A. Early, III, Circuit Court Judge

RECEIVED

JUN 20 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

AUGUST BYRON KREIS,

APPELLANT

APPELLATE CASE NO. 2015-002340

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

Counsel for August Byron Kreis respectfully requests a **fourth and final** extension of thirty (30) days **until July 20, 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 August Byron Kreis 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. On June 15, 2016 counsel argued the case of State v. Bryan Rearick in this Court. On June 13, 2016 counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Ricky Eugene Passmore with the Supreme Court. On June 2, 2016, counsel was co-counsel to Miles Edward Coleman on the initial reply brief of appellant filed in the case of State v. Hank Eric Hawes with this Court. On May 27, 2016, counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonathan Cody Newman with this Court. On May 23, 2016 counsel, with co-counsel Lara M. Caudy, filed the petition for writ of certiorari in the Court of Appeals in the case of State v. Ryan Deleston with the Supreme Court. On May 11, 2016 counsel was co-counsel to Keir M. Weyble on the petition for writ of certiorari in the case of Sammie Louis Stokes v. State that was filed with the Supreme Court of the United States. On May 11, 2016, counsel was co-counsel to Appellate Defender Susan Hackett and Appellate Defender David Alexander on the petition for writ of certiorari to the Court of Appeals in the case of Brett D. Parker v. State that was filed with the Supreme Court. On May 11, 2016, counsel filed the petition for writ of certiorari in the case of Dedric L. Isreal v. State with the Supreme Court. On April 27, 2016, counsel filed the petition for writ of certiorari in the death penalty case of Anthony Woods v. State with the Supreme Court. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training five less experienced appellate defenders and reading all of their writings.**

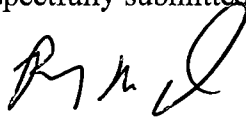
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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.

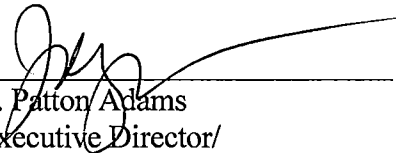
WHEREFORE, the undersigned counsel would respectfully request **a fourth and final thirty (30) day extension until July 20, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

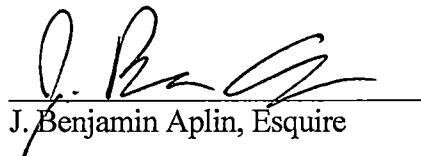
Attorney for Appellant



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

This 20th day of June, 2016.

I consent:



J. Benjamin Aplin, Esquire