

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County
Deadra L. Jefferson, Circuit Court Judge

RECEIVED
JUN 24 2016
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

WALTER SCOTT GARRETT,

APPELLANT

APPELLATE CASE NO. 2015-001526

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

Counsel for Walter Scott Garrett respectfully requests a **final extension of fourteen (14) days until July 8, 2016**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Every attempt will be made to file the brief early. Appellant later pled guilty and got an identical concurrent sentence so he will not be harmed by the extension of time although counsel is fully aware of the need to move cases. Counsel last requested a one week extension but work events prohibited him from meeting this deadline. Counsel regrets the necessity of this final fourteen days but it is necessary given the facts below.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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.

2. Counsel for Walter Scott Garrett respectfully submits that he had every intention to file the brief today, June 24, 2016, but 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. **Counsel had to read and meet with less experienced appellate defenders on briefs and certiorari petitions this week, and that caused the delay in his own caseload. Counsel is also working on this case with Taylor Gilliam, Esquire, the most recent Appellate Defender hire.**

3. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training five new appellate defenders and reading all of their writings. Counsel concluded interviewing to replace an administrative assistant this week also.** Yesterday, June 23, 2016 counsel filed the petition for rehearing in the case of State v. James Cross with this Court. Counsel argued the case of State v. Bryan Rearick in the Supreme Court Wednesday, June 15, 2016. On Monday, June 13, 2016 counsel filed the 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,

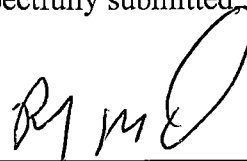
2016, counsel was co-counsel to Appellate Defender Susan Hackett and Appellate Defender David Alexander on the petition for writ of certiorari to the Court of Appeals in the case of Brett D. Parker v. State that was filed with the Supreme Court. On May 11, 2016, counsel filed the petition for writ of 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. On April 27, 2016, counsel filed the brief of petitioner in the case of State v. Raheem D. King with the Supreme 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.

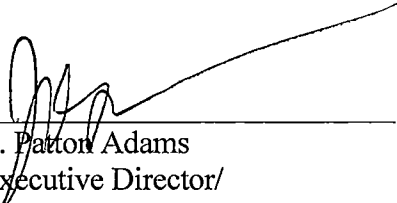
WHEREFORE, the undersigned counsel would respectfully request a **final fourteen (14) day extension until July 8, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will make every effort to file this brief earlier than that deadline.**

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant



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

This 24th day of June, 2016

I consent:



J. Benjamin Aplin, Esquire