

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMES CHADWICK LYDA,

RECEIVED

JUL 13 2016

APPELLANT SC Court of Appeals

Appellate Case No. 2015-000953

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

Counsel for James Chadwick Lyda respectfully requests an extension of thirty (30) days, **until August 12, 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 third 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.
2. Counsel for James Chadwick Lyda respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. On July 8, 2016, counsel filed the initial brief of appellant in the case of State v. Walter Scott Garrett with this Court. On June 23, 2016 counsel filed the petition for rehearing in

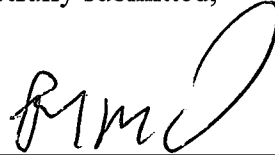
the case of State v. James Cross with this Court. On June 15, 2016 counsel argued the case of State v. Bryan Rearick in the Supreme Court. On June 13, 2016 counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Ricky Eugene Passmore with the Supreme Court. On 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 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. **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 is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

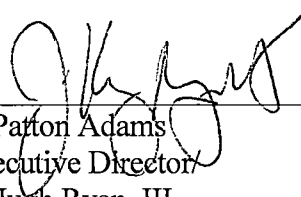
5. Counsel for the State of South Carolina consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until August 12, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



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

This 13th day of July, 2016.

I consent:


Matthew C. Buchanan, Esquire