

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County

G. Thomas Cooper, Circuit Court Judge

RECEIVED

AUG 01 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MICHAEL SPANN,

APPELLANT

APPELLATE CASE NO. 2015-002317

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this court.
2. Counsel filed the initial brief of appellant in the case of State v. Dennis E. Cervantes-Pavon in the Court of Appeals on July 29, 2016. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix In The Matter Of The Care And Treatment Of Kenneth Campbell in the Supreme Court on July 28, 2016. Counsel filed the

petition for writ of certiorari and accompanying appendix in the case of Ronald Tillman v. State in the Supreme Court on July 25, 2016. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Damonte Rivera in the Court of Appeals on July 20, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Kough v. State in the Supreme Court on July 19, 2016. Counsel filed the petition for rehearing in the case of State v. William Travis Calvert in the Court of Appeals on July 14, 2016. Counsel filed the brief of respondent in the case of Michael Milledge v. State in the Supreme Court on July 13, 2016. Counsel filed the reply brief of petitioner in the case of Michael Gonzales v. State in the Supreme Court on July 5, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Morrison v. State in the Supreme Court on June 30, 2016. Counsel filed the initial brief of appellant and designation of matter In The Matter Of The Care and Treatment Of Keith Fitzgerald Burris in the Court of Appeals on June 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Cannon v. State in the Supreme Court on June 20, 2016. Counsel argued in the case of State v. Gary Clifton Hamilton in the Court of Appeals on June 9, 2016. Counsel filed the reply brief of petitioner in the case of State v. Walter M. Bash in the Supreme Court on June 6, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Dexter Myers in the Court of Appeals on June 1, 2016.

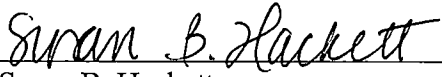
3. This request is made in good faith, and not for purposes of delay.

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

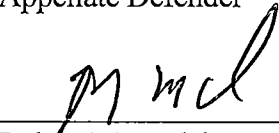
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel requests

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,



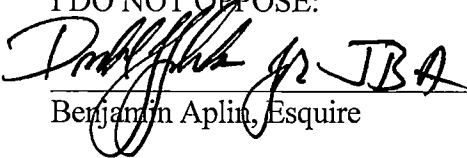
Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 1, 2015

I DO NOT OPPOSE:

 JBA

Benjamin Aplin, Esquire