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3rd AIB due 8/17/16

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Jasper County

Honorable Michael G. Nettles, Circuit Court Judge

RECEIVED

AUG 17 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

BILLY PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2016-000108

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 will file the brief of respondent in the case of Norman Hayes v. State with the Supreme Court today, August 17, 2016. Counsel filed the petition for writ of certiorari in the case of Ronald Smith v. State with the Supreme Court on August 12, 2016. Counsel filed the petition for writ of certiorari in the case of Antwine Matthews v. State with the Supreme Court on August 12, 2016. Counsel filed the initial brief of appellant in the case of State v. Dean Distasio with the Supreme Court on August 8, 2016. Counsel filed the initial brief of respondent

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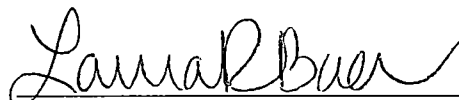
in the case of State v. Josie Jones with the Supreme Court on July 22, 2016. Counsel filed the initial brief of appellant in the case of State v. Darren Keith Belt with this Court on July 15, 2016. Counsel filed the petition for writ of certiorari in the case of Derrick Harriott v. State with the Supreme Court on July 5, 2016. Counsel filed the initial brief of appellant in the case of State v. Justin Cameron Harden with this Court on June 24, 2016. Counsel filed the petition for rehearing in the case of Martina R. Putnam v. State with this Court on June 23, 2016. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of State v. Mandy Lenore Smith with the Supreme Court on June 22, 2016.

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

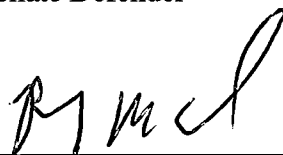
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 17, 2016

I DO NOT OPPOSE:

Donald J. Zelenka, Esquire