

6th RFB due 8/19/16

(5)

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from York County
J. Mark Hayes, II, Circuit Court Judge

THE STATE,

APPELLANT RECEIVED

V.

AUG 19 2016

RICHARD P. KROCHMAL,

SC Court of Appeals

RESPONDENT

APPELLATE CASE NO. 2015-001914

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

Counsel for Richard P. Krochmal respectfully requests a **final** extension of thirty (30) days **until September 19, 2016**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. *Counsel will make every effort to file the brief before that deadline.* 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 respondent and designation of matter are due to be filed with the Court today. Counsel will make every effort to file the brief before the thirty-day deadline.
2. Counsel for Richard P. Krochmal respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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.

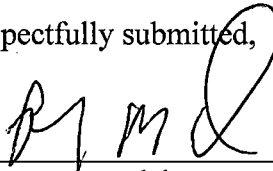
3. On August 16, 2016, counsel presented at the Magistrate Intensive Training Seminar on Warrantless Searches. On August 8, 2016, counsel filed the brief of petitioner in the death penalty case of Marion Bowman v. State with the Supreme Court. On July 26, 2016, counsel filed the initial brief of appellant in the case of State v. Devarous S.L. Parks with this Court. On July 18, 2016 counsel filed the petition for writ of certiorari in the case of Melody Holmes v State with the Supreme Court. 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. **Counsel has extensive administrative duties as the Chief Appellate Defender. These include preparing the Appellate portion of the year-ending report, 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.

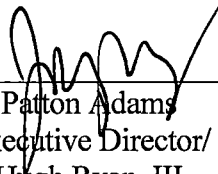
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension** until **September 19, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. *Counsel will make every effort to file the brief earlier than this deadline*, and he requests that the time limits be held in abeyance pending a ruling on this petition.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

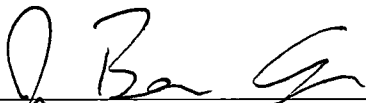
Attorney for Respondent



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

This 19th day of August, 2016.

I consent:


for Brian T. Petrano, Esquire