

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Beaufort County
R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

THE STATE,

SEP 06 2016

RESPONDENT, SC Court of Appeals

V.

JOSEPH BOWERS,

APPELLANT

Appellate Case No. 2014-002176

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 an extension of thirty (30) days, **until October 6, 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 in advance of the thirty (30) days.** 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 Joseph Bowers respectfully submits that 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.

3. **Counsel has extensive administrative duties as the Chief Appellate Defender. Counsel is interviewing for an open Appellate Defender position, and also interviewing to replace Loriene French who is retiring after thirty-seven (37) years. Counsel also has administrative and Appellate Project oversight, and, training four new appellate defenders, and reading all of their filings in advance.** On September 6, 2016, counsel filed the return to petition for writ of certiorari in the case of Vernell W. Harris v. State with the Supreme Court. On August 8, 2016, counsel filed the brief of petitioner in the 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. Counsel also has three oral arguments to prepare for this week in the cases of: State v. Raheem D. King, on Wednesday, September 7, 2016 in the Supreme Court; State v. Shannon Scott, on Thursday, September 8, 2016 in this Court; State v. Joshua Griffith, on Thursday, September 8, 2016 in this Court. In addition, counsel is presenting at the Magistrate's Intensive Training in Myrtle Beach on Friday, September 9, 2016.

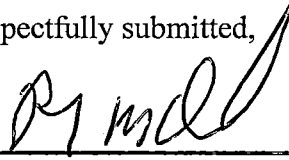
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension, **until October 6, 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**

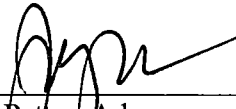
effort to file the brief in advance of the thirty (30) days. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

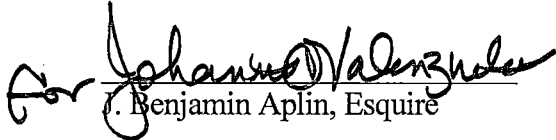
Attorney for Appellant



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

This 6th day of September, 2016.

I consent:



J. Benjamin Aplin, Esquire