

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

Honorable Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TERRY CATOE,

APPELLANT

APPELLATE CASE NO. 2016-000104

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 filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Dennis F. Sanders v. State with the Supreme Court on September 6, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jeramy Parks with this Court on August 24, 2016. Counsel filed the reply brief of petitioner in the case of Randall S.

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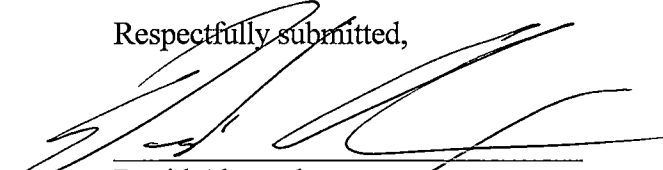
Tyler v. State in the Supreme Court on August 18, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Filiberto Campos with this Court on August 17, 2016. Counsel filed a petition for rehearing in the case of Darrell L. Goss v. State with this Court on August 10, 2016. Along with co-counsel Chief Appellate Defender Robert M. Dudek, counsel filed the brief of petitioner in the death penalty case of Marion Bowman v. State with the Supreme Court on August 8, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Juan Smith with this Court on August 8, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Heyward Truesdale v. State with the Supreme Court on August 5, 2016. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Christopher Allen Middleton with this Court on August 4, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Daniel Lee Lard with this Court on July 13, 2016.

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


4. As indicated by the 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,




David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

September 7, 2016

I do not oppose:

for 
Donald J. Zelenka, Esquire