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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL
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Appeal from Marion County
Honorable William H. Seals, Circuit Court Judge

SEP 09 2016
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

LINDELL DAVIS,

APPELLANT

Appellate Case No. 2015-002448

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

Counsel for Lindell Davis respectfully requests an extension of thirty (30) days, **until October 10, 2016**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. 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 Lindell Davis respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. On September 8, 2016, counsel had an oral argument in the case of State v. Joshua Griffith before this Court. On September 8, 2016, counsel had an oral argument in the case of State

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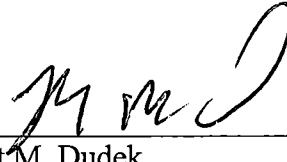
v. Shannon Scott before this Court. On September 7, 2016, counsel had an oral argument in the case of State v. Raheem D. King before the Supreme Court. On September 6, 2016, counsel filed the return to petition for writ of certiorari in the case of Vernell W. Harris v. State with the Supreme Court. On 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 has extensive administrative duties as the Chief Appellate Defender, including administrative and 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 is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

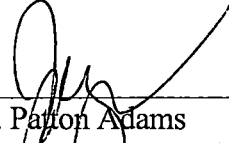
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until October 10, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



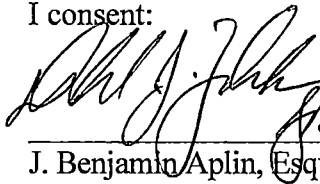
Robert M. Dudek
Chief Appellate Defender



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

This 8th day of September, 2016.

I consent:



J.B.A.

J. Benjamin Aplin, Esquire