

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from York County
Daniel D. Hall, Circuit Court Judge

THE STATE,

RECEIVED

RESPONSE SEP 06 2016

SC Court of Appeals

v.

JONATHON ALEXANDER PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2016-000324

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

Counsel for Jonathon Alexander Phillips respectfully requests a **fourth and final thirty day extension until October 6, 2016** in which to file the initial brief of appellant and designation of matter in the above referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed with the Court today. The Court has granted *prior* counsel three previous extensions. **This case was reassigned to undersigned counsel on September 1, 2016 after Tiffany Butler left the Office of Appellate Defense.**

2. Counsel for Jonathon Alexander Phillips 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 her caseload, counsel hopes that no further extension requests will be required.

3. On September 1, 2016, counsel filed the brief of petitioner in State v. Tiphani Parkhurst with the Supreme Court. On August 25, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Dalton Ellis Clarke with this Court. On August 17, 2016, counsel filed a brief of petitioner in State v. Stepheno Alston with the Supreme Court. On August 12, 2016, counsel filed a petition for writ of certiorari and an accompanying appendix in Rion Beaty v. State with the Supreme Court. On August 9, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Gerald Watts v. State with the Supreme Court. On August 4, 2016, counsel filed a petition for rehearing in State v. Roy Jones with this Court. On July 22, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Karacus Freeman with this Court. On July 12, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Latroy Brown v. The State with the Supreme Court. On July 7, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Rodriquez J. Wolfe with the Court of Appeals. On June 28, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Bennie Golston v. State with the Supreme Court. On June 22, 2016, counsel filed an initial brief of appellant and designation of matter in In the Interest of: Nhaquise B., A Minor Under the Age of Seventeen with this Court.

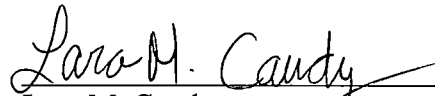
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her

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 **fourth and final 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 requests that time limits for filing the initial brief and designation of matter be held in abeyance pending a ruling on this motion.

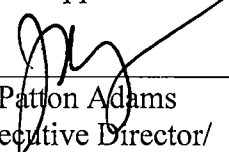
Respectfully submitted,



Lara M. Caudy
Appellate Defender




Robert M. Dudek
Chief Appellate Defender



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel/
W. Lawrence Brown
Deputy General Counsel

This 6th day of September, 2016.

I do not oppose:


for J. Benjamin Aplin, Esquire