

444 AFB due 9/16/16

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL
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SEP 16 2016
SC Court of Appeals

Appeal from Jasper County

Honorable Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BILLY PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2016-000108

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

Counsel for Billy Phillips respectfully requests an extension of a **final thirty (30) days, until October 17, 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 fourth 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. The Court has granted counsel three previous extensions.
2. Counsel for Billy 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. Counsel will file the initial brief of appellant in the case of In the Matter of Care and Treatment of Roy Lee Wade with this Court today, September 16, 2016. Counsel filed the initial reply brief of appellant in the case of State v. Albert E. Siders with this Court on September 6, 2016. Counsel filed the reply to return to petition for writ of certiorari in the case of Sheldon Oakman v. State with the Supreme Court on August 25, 2016. Counsel filed the brief of respondent in the case of Norman Hayes v. State with the Supreme Court on August 17, 2016. Counsel filed the petition for writ of certiorari in the case of Ronald Smith v. State with the Supreme Court on August 12, 2016. Counsel filed the petition for writ of certiorari in the case of Antwine Matthews v. State with the Supreme Court on August 12, 2016. Counsel filed the initial brief of appellant in the case of State v. Dean Distasio with the Supreme Court on August 8, 2016. Counsel filed the initial brief of respondent in the case of State v. Josie Jones with the Supreme Court on July 22, 2016. Counsel filed the initial brief of appellant in the case of State v. Darren Keith Belt with this Court on July 15, 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.

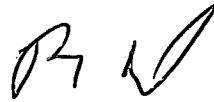
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until October 17, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

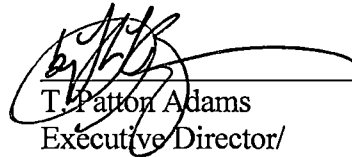


Laura R. Baer
Appellate Defender

Attorney for Appellant



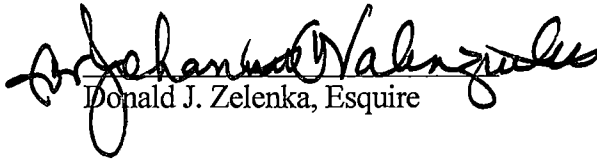
Robert M. Dudek
Chief Appellate Defender



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

This 16th day of September, 2016.

I consent:



Donald J. Zelenka, Esquire