

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Greenville County

Honorable Robin B. Stilwell, Circuit Court Judge

RECEIVED

OCT 17 2016

THE STATE,

SC Court of Appeals
RESPONDENT,

V.

DAVID WILKIN ROSS,

APPELLANT

APPELLATE CASE NO. 2016-000738

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

Counsel for David Wilkin Ross respectfully requests a **fourth and final** extension of thirty (30) days 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 David Wilkin Ross 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.

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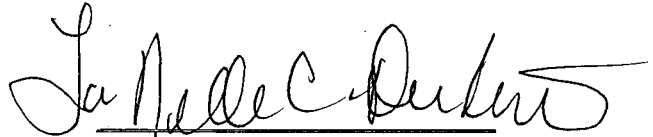
3. Counsel filed Anders brief of appellant and designation of matter with accompanying record on appeal in the case of State v. Steven E. Jennings in the Court of Appeals on October 12, 2016. Counsel filed petition for writ of certiorari to the Court of Appeals in the case of The State v. Arthur Moseley in the Supreme Court on October 11, 2016. Counsel filed Anders brief of appellant and designation of matter with accompanying record on appeal in the case of State v. Lorenzo Ragin in this Court on October 4, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Lynel Witherspoon v. State in the Supreme Court on September 23, 2016. Counsel had an oral argument in the case of State v. Fred Jack Sanders before this Court on September 22, 2016. Counsel filed initial brief of appellant and designation of matter in the case of State v. Keyon Robinson in this Court on September 14, 2016. Counsel filed petition for writ of certiorari and the accompanying petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Michael Ray Elders v. State in the Supreme Court on September 6, 2016. Counsel filed petition for rehearing in the case of State v. Arthur Moseley in this Court on September 2, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Shanita Cunningham v. State in the Supreme Court on August 31, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Christopher Lee Johnson v. State in the Supreme Court on August 22, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix along with Anders brief of appellant pursuant to White v. State in the case of Charlton L. Hill v. State in the Supreme Court on August 17, 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.

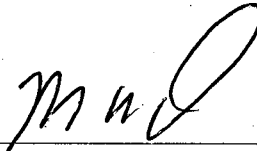
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

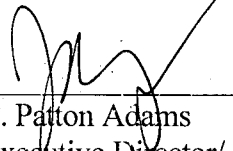


LaNelle C. Durant
Appellate Defender

Attorney for Appellant



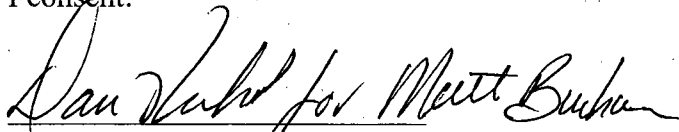
Robert M. Dudek
Chief Appellate Defender



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

This 17th day of October, 2016.

I consent:



Matthew Buchanan, Esquire