

6

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from York County
J. Mark Hayes, II, Circuit Court Judge

RECEIVED
OCT 17 2016
SC Court of Appeals

THE STATE,

APPELLANT,

V.

RICHARD P. KROCHMAL,

RESPONDENT

APPELLATE CASE NO. 2015-001914

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

Counsel for Richard P. Krochmal respectfully requests a **final** extension of fourteen (14) days **until October 31, 2016**, in which to file the Initial Brief of Respondent and Designation of Matter in this case. *Counsel will make every effort to file the brief before that deadline. This is a complicated securities fraud restitution case outside of counsel's normal caseload, and therefore is much more time consuming. The additional research required in this case makes this highly unusual extension request necessary.* This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of respondent and designation of matter are due to be filed with the Court today. Counsel apologizes for the necessity of this request.

J

2. Counsel for Richard P. Krochmal 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 his caseload, counsel hopes that no further extension requests will be required.

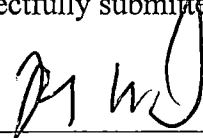
3. On October 14, 2016, counsel filed the two issue initial brief of appellant in the case of State v. August Kreis with this Court. On October 3, 2016, counsel filed the petition for writ of certiorari in the case of Richey Lamont Boyd v. State with the Supreme Court. On September 30, 2016, counsel filed the initial brief of appellant in the case of State v. Jeffrey Dana Andrews with this Court. Counsel presented at the Public Defender's Conference on Case Law Update and three error preservation exercises on September 26, 2016. 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 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. **Counsel has extensive administrative duties as the Chief Appellate Defender. These include preparing the Appellate portion of the year-ending report, Appellate Project oversight, and training four 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 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.

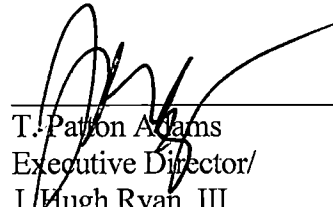
WHEREFORE, the undersigned counsel would respectfully request a **final fourteen (14) day extension** until **October 31, 2016**, in which to file the initial brief of respondent and designation of matter in this case based upon the above exigent circumstances. *Counsel will make every effort to file the brief earlier than this deadline*, and he requests that the time limits be held in abeyance pending a ruling on this petition.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

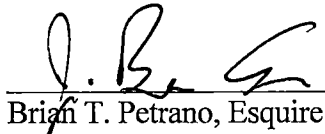
Attorney for Respondent



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

This 17th day of October, 2016.

I consent:

for 
Brian T. Petrano, Esquire