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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lancaster County

Honorable Thomas A. Russo, Circuit Court Judge

RECEIVED  
OCT 17 2016  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

BRANDON HUNTER KENNY RIVERS,

APPELLANT

APPELLATE CASE NO. 2016-000402

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. **Counsel is being treated for a chronic health condition which has severely limited his working hours.** Counsel had an oral argument in the case of State v. Dominique Lavar Williams before the Court of Appeals on October 12, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Rodney M. Alexander with the Court of

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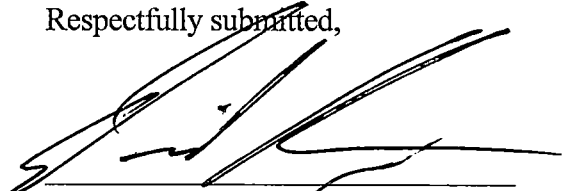
Appeals on September 30, 2016. On September 22, 2016, counsel argued motions before the PCR court in Spartanburg, South Carolina, pursuant to the Supreme Court's remand Order in the death penalty case of Marion Alexander Lindsay v. State. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Martin Rodriguez with the Court of Appeals on September 19, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Timothy Groves Oxendine with the Court of Appeals on September 14, 2016. Counsel had an oral argument in the case of State v. Corey Jamal Williams before the Court of Appeals on September 8, 2016. Counsel had an oral argument in the case of State v. Jimmy Turner before the Court of Appeals on September 7, 2016. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Dennis F. Sanders v. State with the Supreme Court on September 6, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jeramy Parks with the Court of Appeals on August 24, 2016. Counsel filed the reply brief of petitioner in the case of Randall S. Tyler v. State in the Supreme Court on August 18, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Filiberto Campos with the Court of Appeals on August 17, 2016.

3. This request is made in good faith, and not for purposes 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.

4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

October 17, 2016

I do not oppose:

  
J. Benjamin Aplin, Esquire