

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County

George C. James, Jr., Circuit Court Judge

RECEIVED

OCT 19 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

RODNEY R. GREEN,

APPELLANT

APPELLATE CASE NO. 2015-002443

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

The undersigned counsel would respectfully request a **final twenty-day extension until November 8, 2016** in which to file the initial brief of appellant and designation of matter in the above-referenced case. **If at all possible, counsel will file the brief earlier than the requested twenty-day extension allows.** In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by four prior orders of this Court.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **On October 8, 2016, during Hurricane Matthew,**

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a tree fell on counsel's house. *The tree caused damage to the roof, the interior ceiling of the second floor bathroom, to the plumbing of two bathrooms, to the HVAC unit, and the fence surrounding the backyard. This damage has required counsel to miss work in order to prepare for repairs, such as meeting with an insurance adjuster on October 13, 2016 for several hours to review the damage. Further, counsel has taken time away from work to meet with plumbers, contractors, and tree removal specialists in order to assess the damage and obtain estimates for the repairs.*

3. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jeremiah Fitzgerald Belton in this Court on October 17, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Casey Perkins v. State in the Supreme Court on October 10, 2016. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. William Calvert in the Supreme Court on September 29, 2016. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. James Simmons in the Supreme Court on September 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Davis v. State in the Supreme Court on September 26, 2016. Counsel attended the 2016 Annual Public Defender Conference from September 26 through September 28, 2016 in Myrtle Beach, South Carolina. Counsel argued in the case of Michael Gonzales v. State in the Supreme Court on September 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Rivera v. State in the Supreme Court on September 14, 2016. Counsel argued in the case of State v. Devin Johnson in this Court on September 8, 2016. Counsel argued in the case of State v. Walter M. Bash in the Supreme Court on September 7, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Walter Greene v. State in

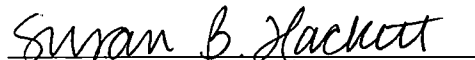
designation of matter in the case of State v. John Kenneth Massey, Jr. in this Court on August 25, 2016.

4. This request is made in good faith, and not for purposes of delay.

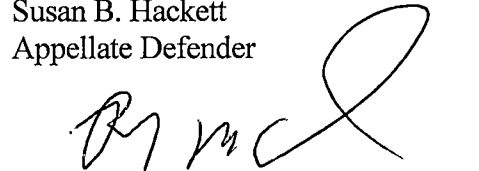
5. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final twenty-day extension until November 8, 2016** in which to file the initial brief of appellant and designation of matter in this case. **If at all possible, counsel will file the brief earlier than the requested twenty-day extension allows.** Counsel 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,



Susan B. Hackett
Appellate Defender



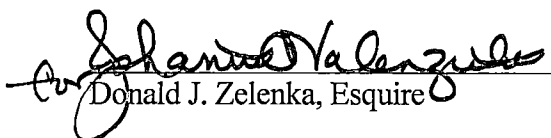
Robert M. Dudek
Chief Appellate Defender



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

October 19, 2016

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire