

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County

Honorable J.C. Buddy Nicholson, Circuit Court Judge

RECEIVED

OCT 21 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID ALAN WHITE,

APPELLANT

APPELLATE CASE NO. 2016-000616

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

Counsel for David Alan White respectfully requests an extension of a **final thirty (30) days, until November 21, 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 David Alan White 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 filed the reply to return to petition for writ of certiorari in the case of Marvin Bowens Green v. State with the Supreme Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of State v. Stacy Riden with this Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of State v. Billy Phillips with this Court on October 17, 2016. Counsel filed the initial brief of appellant in the case of In the Interest of: Malik S., A Minor Under the Age of Seventeen with this Court on September 30, 2016. Counsel filed the initial brief of appellant in the case of State v. Johnnie Lee Lawson with this Court on September 30, 2016. Counsel filed the initial brief of appellant in the case of In the Matter of Care and Treatment of Roy Lee Wade with this Court on 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.

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.

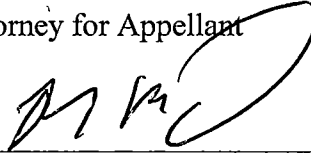
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until November 21, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

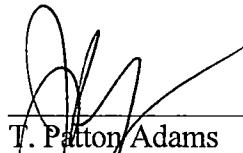


Laura R. Baer
Appellate Defender

Attorney for Appellant



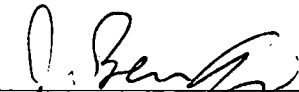
Robert M. Dudek
Chief Appellate Defender



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

This 21st day of October, 2016.

I consent:


for J. Benjamin Apfin, Esquire