

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Saluda County

Honorable William P. Keesley, Circuit Court Judge

IN THE MATTER OF THE CARE AND
TREATMENT OF JASON BODIE,

APPELLANT

RECEIVED
OCT 28 2016
SC Court of Appeals

APPELLATE CASE NO. 2016-001043

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. Along with co-counsel Chief Appellate Defender Robert M. Dudek and Appellate Defender Lara M. Caudy, counsel filed the Post – Hearing Supplemental Memorandum in the case of Marion Alexander Lindsey v. State with the Court of Common Pleas Seventh Judicial Circuit on October 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix as well as the Johnson petition for writ of certiorari pursuant to Austin v. State in the case of

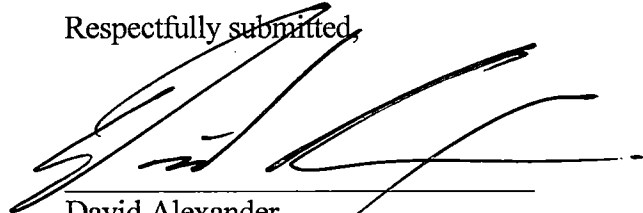
Alexander Lynch v. State in the Supreme Court on October 19, 2016. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Jason Morton with this Court on October 17, 2016. Counsel had an oral argument in the case of State v. Dominique Lavar Williams before this Court 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 this Court 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 Lindsey v. State. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Martin Rodriguez with this Court 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 this Court on September 14, 2016. Counsel had an oral argument in the case of State v. Corey Jamal Williams before this Court on September 8, 2016. Counsel had an oral argument in the case of State v. Jimmy Turner before this Court 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.

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,



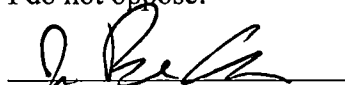
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

October 28, 2016

I do not oppose:


for Deborah R.J. Shupe, Esquire