

qth #7B due 10/31/16

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

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

RECEIVED

OCT 31 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 five (5) day extension, until November 7, 2016**, in which to file the Initial Brief of Respondent 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. 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 will make every attempt to file this brief early. Counsel has been working on a complex multi victim murder trial in The State v. Joseph Bowers which will be filed by undersigned counsel today, October 31, 2016.**

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.

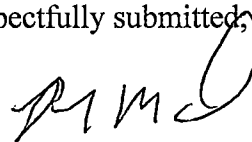
3. Again, counsel is filing the initial brief of appellant in the case of The State v. Joseph Bowers with this Court today. On October 21, 2016, counsel filed the initial brief of appellant in the case of State v. Marquise Green with this Court. On October 21, 2016, counsel filed the initial brief of appellant in the case of State v. James Chadwick Lyda with this Court. On October 20, 2016 counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. James Scott Cross with the Supreme Court. On October 14, 2016, counsel filed the 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. On August 8, 2016, counsel filed the brief of petitioner in the case of Marion Bowman v. State with the Supreme Court. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and 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 five (5) day extension until November 7, 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,



Robert M. Dudek
Chief Appellate Defender

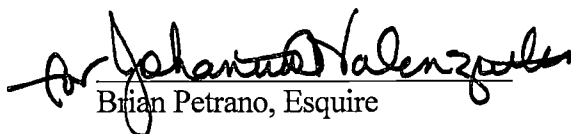
ATTORNEY FOR RESPONDENT



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

This 31st day of October, 2016.

I consent:



Brian Petrano, Esquire