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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Thomas A. Russo, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRIAN JACOB TERRELL,

APPELLANT

APPELLATE CASE NO. 2015-001020

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

Counsel for Brian Jacob Terrell respectfully requests an extension of thirty (30) days **until December 2, 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. 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.
2. Counsel for Brian Jacob Terrell 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.

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3. On October 31, 2016 counsel filed the initial brief of appellant in the case of The State v. Joseph Bowers with this Court. On October 21, 2016, counsel filed the initial brief of appellant in the case of The State v. Marquise Green with this Court. On October 21, 2016, counsel filed the initial brief of appellant in the case of The 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 The State v. James Scott Cross with the Supreme Court. On October 14, 2016, counsel filed the initial brief of appellant in the case of The 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. The State with the Supreme Court. On September 30, 2016, counsel filed the initial brief of appellant in the case of The 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 The State v. Joshua Griffith before this Court. On September 8, 2016, counsel had an oral argument in the case of The State v. Shannon Scott before this Court. On September 7, 2016, counsel had an oral argument in the case of The 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. The 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.**

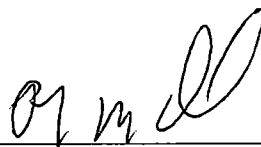
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the South Carolina Department of Probation, Parole & Pardon Services office consents to this request shown by the signature below.

WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension until December 2, 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 Appellant



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

This 2nd day of November, 2016.

I consent:



Matthew Buchanan, Esquire