

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Letitia H. Verdin, Circuit Court Judge

RECEIVED
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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TOMMY LEE WISEMAN,

APPELLANT

APPELLATE CASE NO. 2016-000278

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

Counsel for Tommy Lee Wiseman respectfully requests an extension of **thirty (30) days until December 15, 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 Tommy Lee Wiseman 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. Counsel is working on his brief in opposition to the state's petition for writ of certiorari in The State of South Carolina v. Antonio Miller in the United States Supreme Court. Counsel is working on the reply to the return to the petition for writ of certiorari in the death penalty case of Anthony Woods v. The State of South Carolina. Counsel is working on preparing two presentations for the Public Defenders 101 conference that will be held on November 22, 2016. On November 10, 2016, counsel was co-counsel on the initial reply brief of appellant that was filed in the case of The State v. Luzenski Cottrell with the Supreme Court. On November 7, 2016, counsel filed the initial brief of respondent and designation of matter in the case of The State v. Richard P. Krochmal with this Court. On November 3, 2016, counsel filed the petition for rehearing in the case of The State v. Thomas James with this Court. On October 31, 2016 counsel filed the initial brief of appellant in the case of The State v. Joseph Bowers. 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. **Counsel has extensive administrative duties as the Chief Appellate**

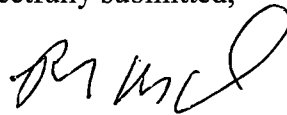
Defender, including administrative and Appellate Project oversight, and, training four less experienced appellate defenders and reading all of their writings.

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.

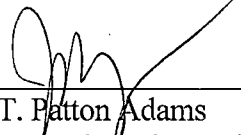
WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension until December 15, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant



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

This 16th day of November, 2016.

I consent:



J. Benjamin Aplin, Esquire