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3rd AEB due 11/23/16

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County

Honorable G. Thomas Cooper, Circuit Court Judge

RECEIVED
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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MICHAEL FULLER,

APPELLANT

APPELLATE CASE NO. 2016-000672

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. Counsel filed an Anders brief of appellant and designation of matter in the case of State v. Terry Catoe with this Court on November 16, 2016. Counsel filed initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Leonard Jenkins with this Court on November 16, 2016. Counsel filed Johnson petition for writ of certiorari in the

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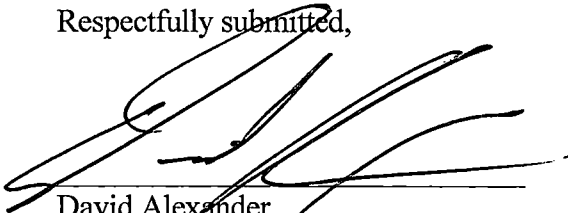
case of Vashawn Ravenel v. State with the Supreme Court on November 14, 2016. Counsel filed petition for writ of certiorari to this Court and accompanying appendix from this Court in the case of Darrell L. Goss v. State with the Supreme Court on November 14, 2016. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. King Chevais Conyers with this Court on November 9, 2016. Counsel filed a petition for rehearing in the case of Corey Jamal Williams v. State with this Court on November 2, 2016. Counsel filed the reply brief of appellant in the case of State v. Vincent Missouri with this Court on October 28, 2016. 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.

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.

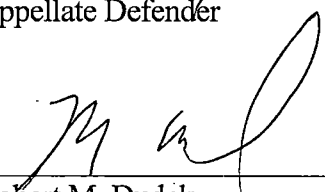
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



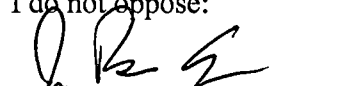
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

November 23, 2016

I do not oppose:



J. Benjamin Aplin, Esquire