

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Appeal from York County

DEC 09 2016

Honorable John C. Hayes, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TIMOTHY EMMENUUEL GREENE,

APPELLANT

APPELLATE CASE NO 2016-001123

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

Counsel for appellant respectfully requests an extension of thirty (30) days, **until January 9, 2017**, 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. This is a third request for an extension. 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. The Court has granted counsel two previous extensions.
2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously

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granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

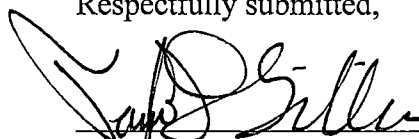
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lexie James Turner v. State of South Carolina with the Supreme Court on November 17, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rene M. Rodriguez v. State of South Carolina with the Supreme Court on October 31, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael T. Sanders v. State of South Carolina with the Supreme Court on October 21, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kendrick Mims with the Court of Appeals on October 17, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alan Bruce Carruthers v. State of South Carolina with the Supreme Court on October 17, 2016. Counsel filed reply of the return to the motion to hold appeal in abeyance and motion to remand for reconstruction of post-conviction relief hearing or the granting of a new trial in the case of Quincy McCants v. State of South Carolina with the Supreme Court on October 14, 2016. Counsel filed the motion to hold appeal in abeyance and motion to remand for reconstruction of post-conviction relief hearing or the granting of a new trial in the case of Quincy McCants v. State of South Carolina with the Supreme Court on September 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Reggie Pinkney v. State of South Carolina with the Supreme Court on September 14, 2016.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

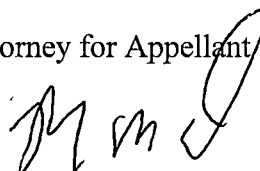
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, **until January 9, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

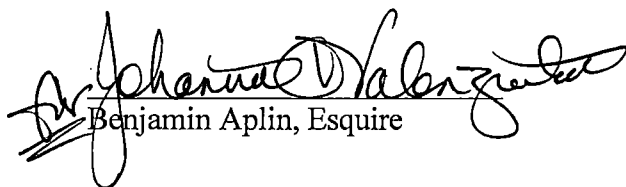
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 9th day of December, 2016.

I consent:



Benjamin Aplin, Esquire