

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Richland County  
Honorable DeAndrea G. Benjamin, Circuit Court Judge

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RECEIVED

DEC 16 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

CHEO D. GREEN,

APPELLANT

APPELLATE CASE NO. 2016-000124

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

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Counsel for Cheo D. Green respectfully requests a **fourth and final** extension of thirty (30) **until January 16, 2017**, days 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 fourth 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 three previous extensions.
2. Counsel for Cheo D. Green 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. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Maurice Marshall Harris with this Court on December 13, 2016. Counsel filed the return to petition for writ of certiorari in the case of State v. Jimmy Turner with the Supreme Court on December 8, 2016. Counsel had an oral argument in the case of State v. Tyrone D. Ellison before this Court on December 7, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Dwyer with this Court on December 2, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Billy Ray Smith with this Court on November 28, 2016. Counsel filed a petition for rehearing in the case of State v. James Kevin Bethal with this Court on November 23, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Terry Catoe with this Court on November 16, 2016. Counsel filed the 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 the petition for writ of certiorari in the case of Vashawn Ravenel v. State with the Supreme Court on November 14, 2016. Counsel filed the petition for writ of certiorari in the case of Darrell L. Goss v. State with the Supreme Court on November 14, 2016. Counsel filed the initial 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 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,

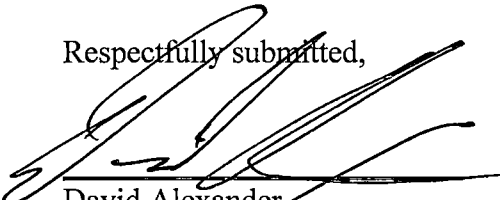
2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jason Morton with this Court on October 17, 2016.

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 fourth and final thirty (30) day extension** until **January 16, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

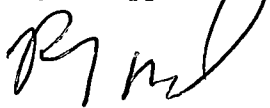
Respectfully submitted,



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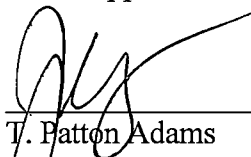
David Alexander  
Appellate Defender

Attorney for Appellant



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Robert M. Dudek  
Chief Appellate Defender

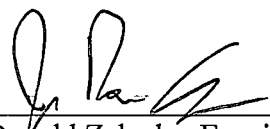


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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 16th day of December, 2016.

I consent:

  
for 

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Donald Zelenka, Esquire