

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable Roger L. Couch, Circuit Court Judge

RECEIVED

DEC 16 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TONY RANDALL LEWIS,

APPELLANT

APPELLATE CASE NO. 2016-001407

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

Counsel for Tony Randall Lewis respectfully requests an extension of thirty (30) 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 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 Tony Randall Lewis 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 her caseload, counsel hopes that no further extension requests will be required.

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3. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of George Salisbury v. State in the Supreme Court on December 8, 2016. Counsel filed the brief of petitioner in the case of State v. Wayne Albeon Scott in the Supreme Court on December 5, 2016. Counsel filed the petition for rehearing in the case of State v. Johnny Jerome Boyd in this Court on December 1, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix along with Anders brief of appellant pursuant to White v. State in the case of Samuel Brown v. State in the Supreme Court on November 23, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Wilkins Ross in this Court on November 16, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Ricky D. Cheeks v. State in the Supreme Court on November 10, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Lasheda Cokley v. State in the Supreme Court on November 1, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Stanley S. Davis v. State in the Supreme Court on October 26, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Ancel Ramon Harris v. State in the Supreme Court on October 24, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Larold Morris v. State in the Supreme Court on October 20, 2016.

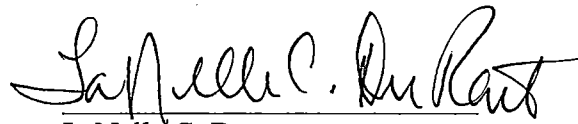
4. Counsel makes this request in good faith and not for purpose of delay.

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, in which to file the initial brief of appellant and designation of matter in this case

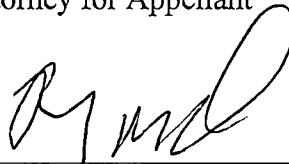
based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 16th day of December, 2016.

I consent:



J. Benjamin Aplin, Esquire