

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County  
Honorable Eugene C. Griffith, Circuit Court Judge

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**RECEIVED**

DEC 28 2016

**SC Court of Appeals**

THE STATE,

APPELLANT,

V.

JOHN KENNETH MASSEY, JR.,

RESPONDENT

APPELLATE CASE NO. 2015-000431

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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 John Kenneth Massey, Jr. respectfully requests a **fourth and final** extension of thirty (30) **until January 27, 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 John Kenneth Massey, Jr. 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. Cleveland Edward Young with this Court on December 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Hunter Kenny Rivers with this Court on December 16, 2016. 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 the Court of Appeals 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.

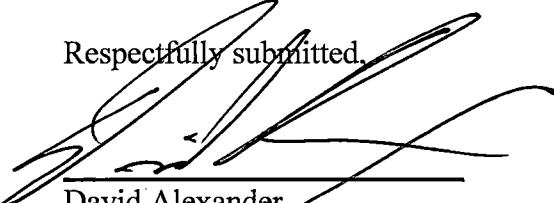
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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 27, 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,

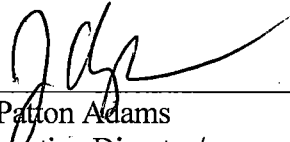


David Alexander  
Appellate Defender

Attorney for Appellant



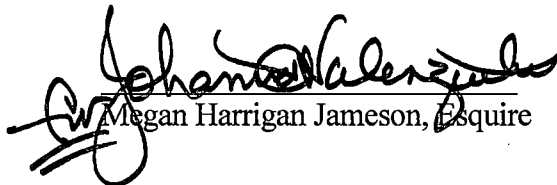
Robert M. Dudek  
Chief Appellate Defender



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

This 28th day of December, 2016.

I consent:



Megan Harrigan Jameson, Esquire