

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Appeal from Berkeley County
Kristi Lea Harrington, Circuit Court Judge

DEC 28 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

STEVEN DWAYNE MOSES,

APPELLANT

APPELLATE CASE NO. 2016-000627

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

Counsel for Steven Dwayne Moses respectfully requests a **fourth and final** extension of thirty (30) days **until January 27, 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 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 Steven Dwayne Moses 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.

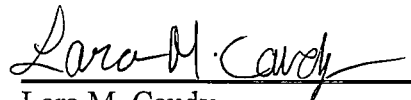
3. On December 22, 2016, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Marvin Williams with this Court. On December 15, 2016, counsel had an oral argument in State v. Tiphani Parkhurst before the Supreme Court. On December 14, 2016, counsel had an oral argument in State v. Stepheno Alston before the Supreme Court. On December 9, 2016, counsel filed the petition for writ of certiorari and accompanying appendix in Troy Wright v. State with the Supreme Court. On December 1, 2016, counsel filed the reply to the return to petition for writ of certiorari in the death penalty case of Anthony Woods v. State with the Supreme Court. On November 21, 2016, counsel filed the brief of petitioner in Keith Desue v. State with the Supreme Court. On November 16, 2016 counsel filed the petition for writ of certiorari and the brief of appellant pursuant to White v. State in Steven Spagnoli v. State with the Supreme Court. On November 3, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Felix Kotowski with this Court. On October 10, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Jonathon Phillips with this Court.

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.

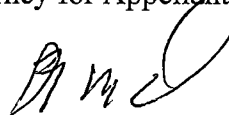
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **January 27, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

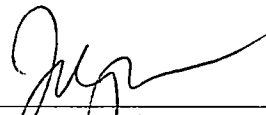


Lara M. Caudy
Appellate Defender

Attorney for Appellant



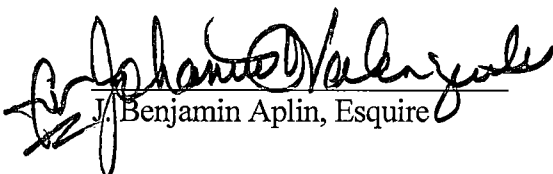
Robert M. Dudek
Chief Appellate Defender



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

This 28th day of December, 2016.

I consent:



J. Benjamin Aplin, Esquire