

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Berkeley County

RECEIVED

Honorable Benjamin H. Culbertson, Circuit Court Judge

JAN 06 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JOHN A. DARRIEUX,

APPELLANT

APPELLATE CASE NO. 2016-000624

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

Counsel for John A. Darrieux 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 John A. Darrieux 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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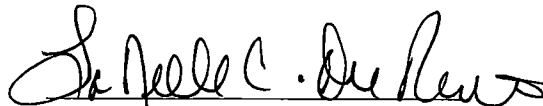
3. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Phillip Leon Shuler v. State in the Supreme Court on December 30, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Clarence J. Fishburne v. State in the Supreme Court on December 16, 2016. 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 the 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.

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.

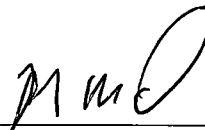
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a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

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

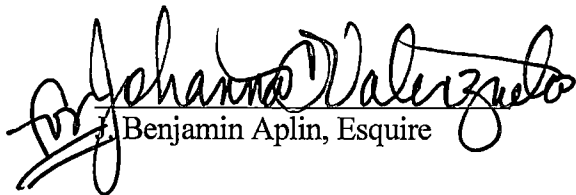
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 6th day of January, 2017.

I consent:



Benjamin Aplin, Esquire