

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Honorable William P. Keesley, Circuit Court Judge

RECEIVED

JAN 27 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KEVIN LAMAR GARY,

APPELLANT

APPELLATE CASE NO. 2016-001603

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.

2. Counsel filed the petition for rehearing in the case of State v. David Glover with this Court on January 24, 2016. Counsel filed the petition for writ of certiorari in the case of Boyd Rashaen Evans v. State with the Supreme Court on January 20, 2017. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Calvin Terrell Williams with this Court on January 18, 2017. Counsel filed the initial reply brief of appellant in the case


of State v. Dean Distasio with this Court on January 12, 2017. Counsel filed the initial brief of appellant in the case of State v. Preston Mozeak with this Court on January 11, 2017. Counsel filed the initial brief of appellant in the case of State v. Richard A. Capell with this Court on January 9, 2017. Counsel filed the initial brief of appellant in the case of State v. John Calvin Sledge with this Court on January 9, 2017. Counsel filed the Johnson petition for writ of certiorari in the case of Leonard B. Goodwin v. State with the Supreme Court on January 3, 2017. Counsel filed the initial brief of appellant in the case of State v. Antwan Adams with this Court on December 21, 2016. Counsel filed the petition for writ of certiorari in the case of James William McKinney, Jr. v. State with this Court on December 16, 2016. Counsel filed the petition for writ of certiorari in the case of Chad Hollingsworth v. State with the Supreme Court on December 7, 2016. Counsel filed the Brief of Respondent in the case of Letron Davis v. State with the Supreme Court on December 5, 2016.

3. This request is made in good faith, and not for purposes of delay.

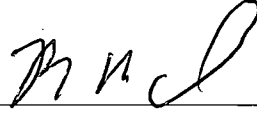
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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

Respectfully submitted,



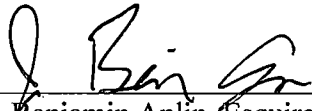
Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 27, 2017

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire