

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Darlington County

Honorable Roger E. Henderson, Circuit Court Judge

ORIGINAL

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FEB 08 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JOEY LAWTAN GIBSON,

APPELLANT

APPELLATE CASE NO 2016-001585

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

Counsel for appellant respectfully requests an extension of thirty (30) days, **until March 10, 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 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 appellant 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.

3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of DeAngelo Mitchell v. The State of South Carolina in the Supreme Court on February 6, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice Wilson v. The State of South Carolina in the Supreme Court on February 6, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Theia Darion McArdle with the Court of Appeals on January 27, 2017. Counsel filed the petition for rehearing in the case of The State v. John Henry Lowery with the Court of Appeals on January 26, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Sara Elizabeth Hodson with the Court of Appeals on January 24, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Antonia Spratt v. The State of South Carolina in the Supreme Court on January 20, 2017. Counsel filed the petition for certiorari to the Court of Appeals in the case of The State v. Daniel Martinez Herrera with the Supreme Court on January 19, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyris B. Glover v. The State of South Carolina in the Supreme Court on January 12, 2017.

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, **until March 10, 2017**, in which to file the initial brief of appellant and designation of

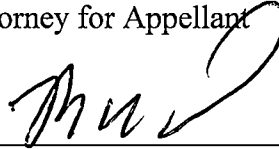
matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



John H. Strom
Appellate Defender

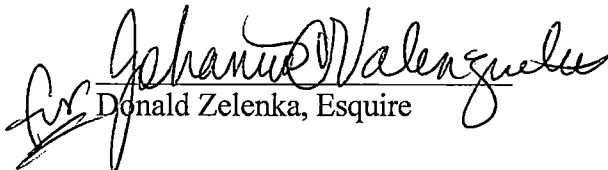
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 8th day of February, 2016.

I consent:



Donald Zelenka, Esquire