

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from York County  
Daniel D. Hall, Circuit Court Judge

RECEIVED

FEB 27 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANTONIO DONTAE ROSS,

APPELLANT

APPELLATE CASE NO. 2016-001260

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. On Tuesday, February 28, 2017, counsel will file the initial brief of appellant and designation of matter in the murder case of The State v. Tyrone Malcolm Benn with this Court. On February 24, 2017, counsel presented at the 26<sup>th</sup> Annual Criminal Law Seminar. On February 23, 2017, counsel filed the petition for rehearing in the case of The State v. Calvert Myers with this Court. On February 22, 2017, counsel filed the initial brief of appellant and designation of matter in

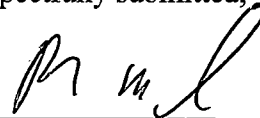
the case of The State v. Tommy Lee Wiseman with this Court. On February 16, 2017, counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Ahshaad Owens with this Court. On February 16, 2017, counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Sylvester Keejuan King with this Court. On February 8, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lindell Davis with this Court. On February 1, 2017, counsel filed the brief of respondent in the case of Marshall Heath Collins v. The State with the Supreme Court. On February 1, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Brian Terrell with this Court. On January 30, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerod Swinton v. The State with the Supreme Court. On January 27, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Robert Ware with this Court. On January 26, 2017, counsel filed the petition for rehearing in the case of The State v. Jalann Williams with this Court. On January 20, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. David Ray Brown with this Court. On January 3, 2017, counsel filed the brief of petitioner in the case of The State v. Ryan P. Deleston with the Supreme Court. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training four less experienced appellate defenders and reading all of their writings.**

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

4. As indicated by the 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,



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Robert M. Dudek  
Chief Appellate Defender



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J. Hugh Ryan, III  
Executive Director

February 27, 2017

I do not oppose:



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J. Benjamin Aplin, Esquire