

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Richland County

Honorable William P. Keesley, Circuit Court Judge

RECEIVED

FEB 27 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KEVIN LAMAR GARY,

APPELLANT

APPELLATE CASE NO. 2016-001603

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

Counsel for Kevin Lamar Gary respectfully requests an extension of a **final thirty (30) days, until March 29, 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 Kevin Lamar Gary 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.

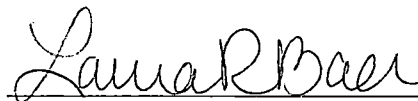
3. Counsel filed the petition for writ of certiorari in David Lee Coward v. State with the Supreme Court on February 22, 2017. Counsel appeared in general session's court in Florence County for a hearing on the state's motion to dismiss the defendant's motion for resentencing in State v. Ronald Mack on February 17, 2017. Counsel filed the petition for rehearing in State v. Stephon Robinson with this Court on February 13, 2017. Counsel filed the petition for writ of certiorari in William Patrick Deaton v. State with the Supreme Court on February 13, 2017. Counsel filed the brief of petitioner in the case of Alonda B. Desaussure v. State with the Supreme Court on February 7, 2017. Counsel filed the petition for rehearing in the case of State v. David Glover with this Court on January 24, 2017. Counsel filed the petition for writ of certiorari in the case of Boyd Rashaeen 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.

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 **final thirty (30) days, until March 29, 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,



Laura R. Baer
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director

This 27th day of February, 2017.

I consent:



Benjamin Aplin, Esquire