

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Darlington County

Honorable Roger E. Henderson, Circuit Court Judge

RECEIVED

MAR 10 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 a **fourth and final** extension of thirty (30) days **until April 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 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 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 Anthony Dominique Wilder v. The State of South Carolina in the Supreme Court on March 8, 2017. Counsel filed the brief of petitioner in the case of Jerod Keykendall Harris v. The State of South Carolina in the Supreme Court on March 7, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mark Anthony Bayne with the Court of Appeals on February 21, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Garrick Epps with the Court of Appeals on February 16, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Donte Samar Brown v. The State of South Carolina in the Supreme Court on February 9, 2017. 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.

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.

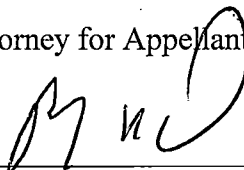
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until April 10, 2017** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

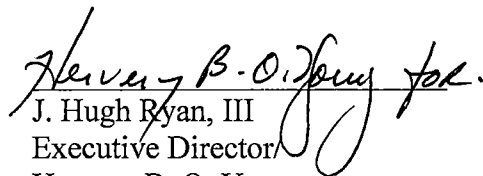


John H. Strom
Appellate Defender

Attorney for Appellant



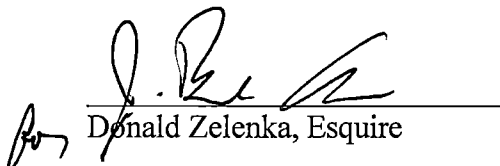
Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 10th day of March, 2017.

I consent:



Donald Zelenka, Esquire