

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Honorable Robert E. Hood, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RICHARD A. CAPELL,

APPELLANT

APPELLATE CASE NO. 2016-000475

RECEIVED

MAR 27 2017

SC Court of Appeals

PETITION FOR EXTENSION TO FILE
THE REPLY TO THE INITIAL BRIEF OF RESPONDENT

The undersigned counsel respectfully requests a **final ten-day extension, until April 6, 2017**, in which to file the reply to the initial brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The reply to the initial brief of respondent is due to be served and filed today.
2. Counsel filed the petition for rehearing in Letron Davis v. State with the Supreme Court on March 16, 2017. Counsel filed the initial brief of appellant and designation of matter in State v. Ricky Santoine Henley with this Court on March 15, 2017. Counsel prepared and submitted the proposed order in State v. Ronald Mack to the Honorable Michael G. Nettles on March 14, 2017. Counsel filed the petition for writ of certiorari in Joshua Brookins v. State with the Supreme Court on March 8, 2017. Counsel filed the amended initial brief of appellant in

State v. Albert E. Siders with this Court on February 27, 2017. 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.

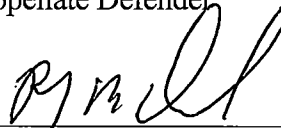
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension, until April 6, 2017**. Counsel respectfully requests that the time limits for filing the reply to the initial brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



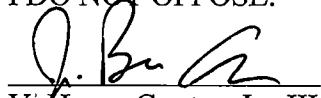
Laura R. Baer
Appellate Defender



Robert Dudek
Chief Appellate Defender

March 27, 2017

I DO NOT OPPOSE:



V. Henry Gunter, Jr., III, Esquire