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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge

RECEIVED

APR 28 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

THOMAS STEPHEN ACKER,

APPELLANT

Appellate Case No. 2016-002368

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. Counsel filed the Return to Petition for Writ of Certiorari in the case of The State of South Carolina v. Carlos Smith with the Supreme Court on April 27, 2017. Counsel filed the Petition for Writ of Certiorari in the case of The State of South Carolina v. Ralph Martin with the Supreme Court on April 24, 2017. Counsel filed the Petition for Writ of Certiorari in the case of Brandon Golden v. The State of South Carolina with the Supreme Court on April 21, 2017. Counsel filed the brief in opposition in the case of The State of South Carolina v. Julio Angelo Hunsberger with the Supreme Court of the United States on April 17, 2017. Counsel filed the

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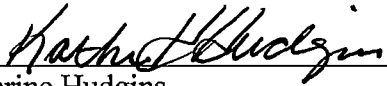
Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Chad Nelson Strickland with The Court of Appeals on April 11, 2017. Counsel filed the Brief of Petitioner in the case of Stephen Smalls v. The State of South Carolina with the Supreme Court on April 6, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Louis Sanders v. The State of South Carolina with the Supreme Court on March 29, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of Demetrice Roosevelt James v. The State of South Carolina with the Supreme Court on March 23, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Michael Gentile with The Court of Appeals on March 21, 2017. Counsel filed the Initial Reply Brief of Appellant in the case of The State of South Carolina v. Nathaniel Wright with The Court of Appeals on March 17, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Aaron Young, Sr. with The Court of Appeals on March 15, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Braquette Wykina Walton v. The State of South Carolina with the Supreme Court on March 6, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Marshall Hill with The Court of Appeals on February 27, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kevin McDaniels v. The State of South Carolina with the Supreme Court on February 22, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Elvira Seay v. The State of South Carolina with the Supreme Court on February 8, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Mark Lorenzo Blake with The Court of Appeals on January 27, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Demetrice Roosevelt James in The Court of Appeals on January 24, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Christopher Wells with The Court of

Appeals on January 18, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Charles Winston, Jr. with The Court of Appeals on January 17, 2017. Counsel filed the Petition for Writ of Certiorari with The Court of Appeals in the case of Shanna Kranchick v. The State of South Carolina with the Supreme Court on January 11, 2017. Counsel filed the Initial Brief of Appellant in the case of The State of South Carolina v. James Bubba Patterson with The Court of Appeals on January 9, 2017. Counsel filed the Brief of Petitioner in the case of Jason Sanford v. The State of South Carolina with the Supreme Court on January 3, 2017. Counsel filed the Brief of Appellant in the case of The State v. Lester Mosley, Jr. with The Court of Appeals on December 19, 2016. Counsel filed the Initial Brief of Appellant in the case of The State of South Carolina v. Jermaine D. Grier with The Court of Appeals on December 16, 2016.

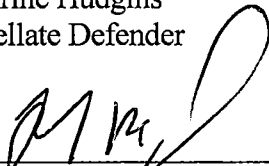
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

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,



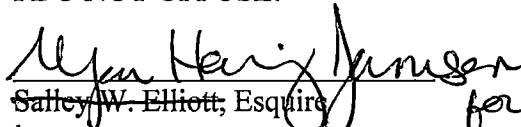
Kathrine Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

April 28, 2017

I DO NOT OPPOSE:



Sally W. Elliott, Esquire
for
J. Benjamin Aplin