

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Certiorari to Dorchester County

Honorable Edgar W. Dickson, Circuit Court Judge

RECEIVED
MAY 05 2017
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TASHON EARL HURELL,

APPELLANT

APPELLATE CASE NO. 2016-000275

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

Counsel for Tashon Earl Hurell respectfully requests a **final fourteen (14) day extension, until May 19, 2017**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **This is the final extension request in this case, and counsel will file the brief and designation before May 19, 2017 if at all possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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:

2. Counsel for Tashon Earl Hurell 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. Again, **counsel will make every effort to file the brief prior to the deadline. Counsel regrets having to make this final extension request, but it is absolutely necessary.**

3. *Counsel prepared the preserving the record for appeal exercises and a power point on Rules of Evidence Issues and Error Preservation, and was on the faculty of the Public Defense 103 training from May 1-3, 2017, in Greenville, South Carolina and that prevented he from being able to file the brief today.* Counsel is preparing the initial brief of appellant and designation of matter in the murder case of The State v. Cory Nettles Allen that will be filed with this Court, Monday, May 8, 2017. Counsel is preparing the initial brief of appellant and designation of matter in the murder and attempted murder convictions case of The State v. Royres Antwon Patterson which is due next Friday, May 12, 2017. Counsel filed the initial brief of appellant and designation of matter in the case The State v. Arsenio D. Colclough with this Court on April 28, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Allen Rauch v. The State with the Supreme Court on April 24, 2017. On April 17, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Jalann Williams with the Supreme Court. On April 13, 2017, counsel had an oral argument in the case of Marion Bowman v. The State before the Supreme Court. On April 12, 2017, counsel had an oral argument in the case of The State v. Sandy Lynn Westmoreland before this Court. On April 7, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyrone Quick with this Court. On April 7, 2017, counsel filed the initial brief of appellant and designation of matter in the case of

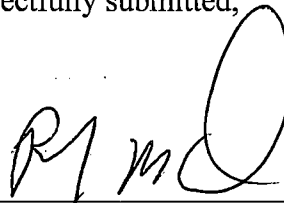
The State v. Teresa Ann McCracken-Hall with this Court. On April 4, 2017, counsel, was co-counsel to, Laura M. Baer, when they filed the initial brief of appellant and designation of matter in the case of The State v. Robert Graham with this Court. On March 31, 2017, counsel filed the reply in support of petition for a writ of certiorari in the case of Bryan Rearick v. State with the U.S. Supreme Court. On March 30, 2017, counsel filed the petition for rehearing in the case of State v. Joshua Griffith with this Court. On March 22, 2017, counsel had an oral argument in the case of The State v. Harold Bennon Cartwright, III, before the Supreme Court. On March 20, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Stanley Miller with this Court. On March 15, 2017, counsel filed the initial brief of appellant and designation of matter in the SVP case of In the Matter of the Care and Treatment of John Henry Dorsey with this Court. On March 10, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. John M. Ghent, Jr. with this Court. On March 9, 2017, counsel, along with co-counsel, Lara M. Caudy, filed the reply 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 oversight, training two less experienced appellate defenders, and screening for interviews for an Appellate Defender position.**

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.

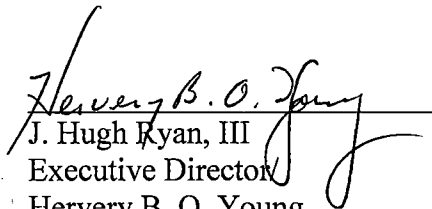
WHEREFORE, the undersigned counsel would respectfully request a **final fourteen (14) day extension – no more will be requested -- until May 19, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel will file the brief before that deadline if at all possible. Counsel respectfully requests that the deadline for filing the brief and designation be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

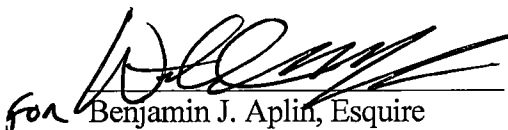
Attorney for Appellant



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

This 5th day of May, 2017.

I consent:



for Benjamin J. Aplin, Esquire