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3rd AZB due 6/5/17

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County  
Larry B. Hyman, Circuit Court Judge

RECEIVED

JUN 05 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

NELSON HERCULES CASTRO,

APPELLANT

APPELLATE CASE NO. 2016-002159

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. On June 1, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Timothy Allen Lemacks v. The State with the Supreme Court. On May 24, 2017, counsel had an oral argument in The State v. Ryan Deleston before the Supreme Court. On May 11, 2017, counsel filed the petition for writ of certiorari in Dion Taylor v. The State with the Supreme Court. On May 5, 2017, counsel filed the reply brief of petitioner in

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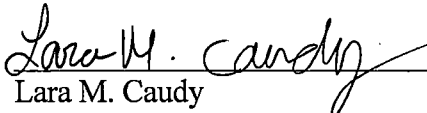
Frankie Lee Bryant v. The State with the Supreme Court. On May 3, 2017, counsel had an oral argument in The State v. Wayland Purnell before this Court. On April 26, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Mark Lorenzo Blake with this Court. On April 25, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. George Holmes with this Court. On April 18, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in James A. Tucker v. The State with the Supreme Court.

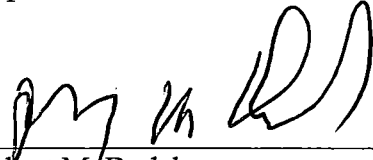
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by the 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.

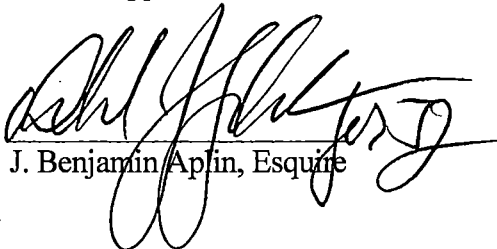
Respectfully submitted,

  
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Lara M. Caudy  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

June 5, 2017

I do not oppose:

  
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J. Benjamin Apfin, Esquire