

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County  
R. Knox McMahon, Circuit Court Judge

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RECEIVED

JUN 12 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JUSTIN ANTONIO BUTLER,

APPELLANT

APPELLATE CASE NO. 2016-001269

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

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Counsel for Justin Antonio Butler respectfully requests a **fourth and final** extension of thirty days **until July 12, 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 Justin Antonio Butler 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 her caseload, counsel hopes that no further extension requests will be required.

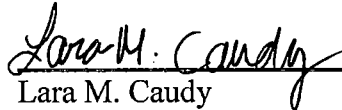
3. Today, June 12, 2016, counsel will file the initial brief of appellant and designation of matter in The State v. Shane Washington with this Court. On June 1, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Timothy Allen Lemacks v. The State with the Supreme Court. 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 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.

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 her 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.

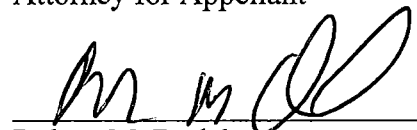
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty day extension** until **July 12, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


  
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Lara M. Caudy  
Appellate Defender

Attorney for Appellant

  
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Robert M. Dudek  
Chief Appellate Defender

  
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J. Hugh Ryan, III  
Executive Director/  
Hervey B.O. Young  
General Counsel

This 12th day of June, 2017.

I consent:

  
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J. Benjamin Aplin, Esquire