

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

ORIGINAL

Appeal from Anderson County

R. Lawton McIntosh, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT JOE FROST,

APPELLANT

APPELLATE CASE NO. 2016-001828

RECEIVED

JUL 17 2017

SC Court of Appeals

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

Counsel for Robert Joe Frost respectfully requests an extension of a **final thirty (30) days, until August 16, 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 Robert Joe Frost 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.

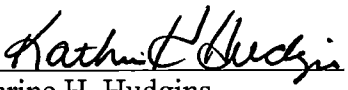
3. Counsel was out of the office taking family vacation from July 3, 2017 through July 12, 2017. Counsel filed the Brief of Petitioner in the case of The State of South Carolina v. Marshall D. McGaha with the Supreme Court on June 29, 2017. Counsel filed the Johnson Petition for Writ of Certiorari in the case of The State of South Carolina v. Dyeshawn Foster with the Court of Appeals on June 22, 2017. Counsel filed the Petition for Writ of Certiorari in the case of The State of South Carolina v. William Anthony Butts with the Supreme Court on June 16, 2017. Counsel had an Oral argument in the case of The State of South Carolina v. Preston Oates on June 7, 2017. Counsel filed the Johnson Petition for Writ of Certiorari in the case of The State of South Carolina v. Jerry Stewart with the Supreme Court on June 2, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State of South Carolina v. Michael Gentile with the Supreme Court on May 31, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Thomas Stephen Acker with the Court of Appeals on May 30, 2017. Counsel filed the Brief of Petitioner in the case of The State of South Carolina v. Gary Eugene Lott with the Supreme Court on May 18, 2017. Counsel filed the Johnson Petition for Writ of Certiorari in the case of The State of South Carolina v. Charlie Belser with the Supreme Court on May 17, 2017.

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.

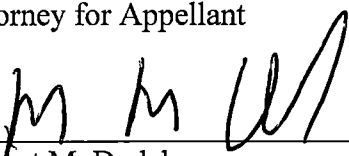
5. Counsel for the Attorney General's office consents to this request shown by signature below.

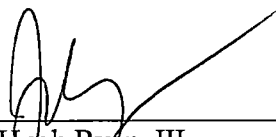
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until August 16, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender

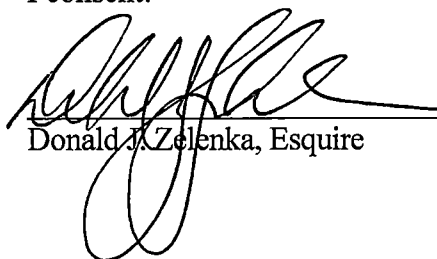
Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender


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

This 17th day of July, 2017.

I consent:


Donald J. Zelenka, Esquire