


STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Richland County  
Honorable Clifton Newman, Circuit Court Judge

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 ORIGINAL  
RECEIVED  
JUL 26 2017  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KEYLAN J. DURHAM,

APPELLANT

APPELLATE CASE NO. 2016-000837

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**PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER**

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The undersigned counsel would respectfully request a **final ten-day extension until August 7, 2017** 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by four prior orders of this Court.

2. Over the last thirty days, undersigned counsel has filed four briefs, one petition for writ of certiorari, one petition for rehearing, and a return to a motion to dismiss. Also, during that time, counsel represented a client at a reconstruction hearing in St. George, South Carolina, and

spoke to a group of lawyers on the subject of published appellate cases over the last year. Both of these responsibilities required considerable time to prepare in addition to the time required during the hearing and the presentation. Furthermore, on very short notice, counsel assisted a client, who is serving his sentence on home detention, attend his grandmother's funeral by securing a consent order from a circuit court judge to allow the client to travel out of state. Finally, counsel anticipates filing a brief in State v. Robert Reeves today, July 26, 2017. **Counsel makes this request for a short fifth extension out of absolute necessity and with no intent to delay the appellate proceedings.** Counsel has worked diligently to manage her caseload and will continue to work diligently to manage her caseload.

3. Counsel's specific filings over the last sixty days are as follows. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Michael Paul Buckmon in the Court of Appeals on July 25, 2017. Pursuant to an order of this Court, undersigned counsel represented Thomas Shewtzuk at a reconstruction hearing at the Dorchester County Courthouse on July 17, 2017, in the case of State v. Thomas Robert Shewtzuk. Counsel filed the return to motion to dismiss in the case of State v. Jake Lake in the Court of Appeals on July 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Chapman v. State in the Supreme Court on July 17, 2017. Counsel filed the petition for rehearing in the case of State v. Dennis E. Cervantes-Pavon in the Court of Appeals on July 13, 2017. Counsel filed the brief of petitioner In the Matter of the Care and Treatment of Kenneth Campbell in the Supreme Court on July 10, 2017. Counsel was a guest speaker at the Blues, BBQ & Bar CLE on July 7, 2017, in Greenwood, South Carolina, sponsored by the South Carolina Association of Criminal Defense Lawyers. Counsel filed the brief of petitioner in the case of State v. James Simmons, Jr. in the Supreme Court on July 6, 2017. Counsel filed the

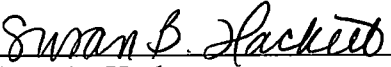
initial brief of appellant and designation of matter in the case of State v. Brittany Epps in the Court of Appeals on June 29, 2017. Counsel filed the petition for rehearing in the case of State v. Shane Adam Burdette in the Court of Appeals on June 22, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Spann v. State in the Supreme Court on June 16, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Jeremy Seldon Brady in the Court of Appeals on June 14, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald Yates Hyatt in the Court of Appeals on June 5, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Chandler in the Court of Appeals on May 30, 2017.

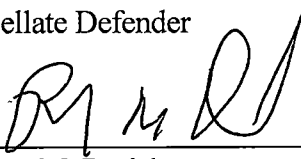
4. This request is made in good faith, and not for purposes of delay.

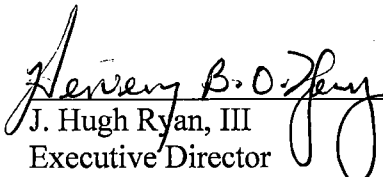
5. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension until August 7, 2017** in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,

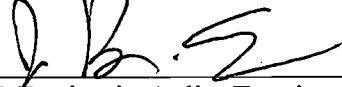
  
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Susan B. Hackett  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

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

July 26, 2017

I DO NOT OPPOSE:

  
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J. Benjamin Aplin, Esquire