

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Dorchester County

Honorable Doyet A. Early, Circuit Court Judge

RECEIVED

AUG 30 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

EDWARD PRIMO BONILLA,

APPELLANT

APPELLATE CASE NO. 2016-001725

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

Counsel for Edward Primo Bonilla respectfully requests a **final two (2) day extension, until September 1, 2017**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **The brief and designation will absolutely be filed no later than that date, and will be filed tomorrow, August 31, 2017, if 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.

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2. Counsel for Edward Primo Bonilla respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. This lengthy murder trial transcript *involves novel issues, including whether appellant gave "informed consent" to his prior attorney to reveal the location of the body. There are also two potential search warrant issues involving the seizure of property in a county other than the one where the search warrant was issued.* Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel **will file the brief** by Friday, September 1, 2017, or earlier. **Counsel apologizes for the necessity of this extension but he has extensive administrative responsibilities in addition to handling a full caseload of serious criminal appeals.**

3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Shannon Scott with the Supreme Court on August 18, 2017. He also must file his return in this cross-appeal later this month. Counsel filed the petition for writ of certiorari in the case of Raphael Wooden v. The State with the Supreme Court on August 18, 2017. Counsel filed the initial reply brief of appellant in the case of The State v. John M. Ghent, Jr. with this Court on August 10, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Lee Boyter with this Court on July 26, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Crystal Garner with this Court on July 26, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wallace Eugene Evatt, Jr. v. The State with the Supreme Court on July 24, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kasey Marie Gilbert with this Court on July 18, 2017. Counsel filed the brief of appellant pursuant to White v. State and the petition for writ of certiorari in the case of Shonta Helton v. The State with the Supreme Court on July 14, 2017. Counsel filed the petition for writ

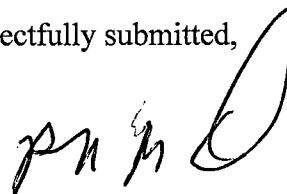
of certiorari and accompanying appendix in the case of The State v. Joshua Griffith with the Supreme Court on July 5, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tekysha Cohen with this Court on June 30, 2017. Counsel has extensive administrative duties as the Chief Appellate Defender.

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 two (2) day extension until September 1, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel respectfully requests that the time limits for filing the brief and designation of matter be held in abeyance pending a ruling on this petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R M Dudek', written over a horizontal line.

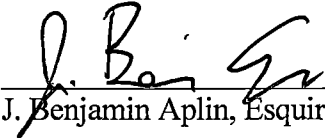
Robert M. Dudek
Chief Appellate Defender



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 30th day of August, 2017.

I consent:



J. Benjamin Aplin, Esquire