

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Greenville County

Honorable Brian M. Gibbons, Circuit Court Judge

ORIGINAL

RECEIVED  
OCT 02 2017

THE STATE,

S.C. SUPREME COURT  
RESPONDENT,

RECEIVED  
OCT 02 2017  
SC Court of Appeals

V.

BRIAN WILLIE BENSON LEWIS,

APPELLANT

APPELLATE CASE NO. 2017-000482

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

Counsel for Brian Willie Benson Lewis respectfully requests an extension of a **final thirty (30) days, until November 1, 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 Brian Willie Benson Lewis 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 will file the petition for writ of certiorari in Dexter Walcott v. State with the Supreme Court today, October 2, 2017. Counsel attended the Annual Public Defender Association Conference on September 25 through September 27, 2017 in Myrtle Beach, South Carolina. Counsel filed the petition for writ of certiorari in Joseph Loftin v. State with the Supreme Court on September 18, 2017. Counsel filed the initial brief of appellant in State v. Michael Finley with this Court on September 15, 2017. Counsel filed the Johnson petition for writ of certiorari in the case of Michael Evans v. State with this Court on September 5, 2017. Counsel filed the Johnson petition for writ of certiorari in the case of Joseph Dunbar v. State with the Supreme Court on September 1, 2017. Counsel filed the petition for writ of certiorari in Alfred Bluford v. State with the Supreme Court on August 30, 2017. Counsel filed the reply to return in David Lee Coward v. State with the Supreme Court on August 24, 2017. Counsel filed the Anders brief of appellant and designation of matter in The State v. Kendra Nicole Tucker with this Court on August 24, 2017. Counsel filed the initial brief of appellant in State v. Jacoby Gregory with this Court on August 18, 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 November 1, 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,

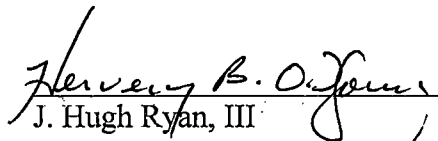


Laura R. Baer  
Appellate Defender

Attorney for Appellant



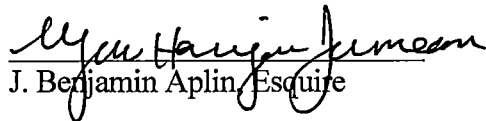
Robert M. Dudek  
Chief Appellate Defender



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

This 2nd day of October, 2017.

I consent:



J. Benjamin Aplin, Esquire