

4th AFB due 10/2/17

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge

RECEIVED

THE STATE,

OCT 02 2017  
RESPONDENT  
SC Court of Appeals  
OCT 02 2017

v.

ROBERT KEITH MOSS,

S.C. SUPREME COURT

APPELLANT

APPELLATE CASE NO 2017-000277

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

Counsel for appellant respectfully requests a **fourth and final** extension of 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 appellant 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 his caseload, counsel hopes that no further extension requests will be required.


3. Counsel filed the petition for writ of certiorari in Frankie Moore Vereen v. State with the Supreme Court on September 18, 2017. Counsel filed the brief pursuant White v. State in State v. Bernard McFadden with the Supreme Court on September 18, 2017. Counsel filed the petition for writ of certiorari in Bernard McFadden v. State with the Supreme Court on September 18, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Earnest Edward Vaughn, Sr. with the Court of Appeals on August 22, 2017. Counsel filed the petition for writ of certiorari in Jamie Edward Morris v. State with the Supreme Court on August 18, 2017. Counsel filed the petition for writ of certiorari in Dennis Temple v. State with the Supreme Court on August 2, 2017. Counsel filed the petition for rehearing in the case of The State v. John William Dobbins with the Court of Appeals on July 27, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Evelyn Christine Nixon with the Court of Appeals on July 26, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ronald Douglas Michaux, Jr. with the Court of Appeals on July 24, 2017. Counsel filed the petition for writ of certiorari in Joshua David Crosby v. State with the Supreme Court on July 21, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Latique Kareem Bracey with the Court of Appeals on June 29, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Thomas Dukes with the Court of Appeals on June 26, 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.

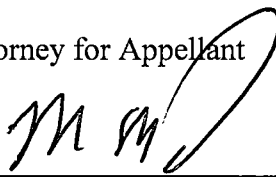
5. Counsel for the Attorney General's office consents to this request shown by signature below.

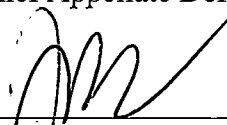
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until November 1, 2017** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
\_\_\_\_\_  
Taylor D. Gilliam  
Appellate Defender


Attorney for Appellant

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

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

This 2<sup>nd</sup> day of October, 2017.

I consent:

*for*   
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Benjamin Aplin, Esquire