

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Carmen T. Mullen, Circuit Court Judge

THE STATE,

v.

ELIDORO CARILLO ONTIVEROS

RESPONDENT

RECEIVED

OCT 06 2017

SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2017-000430

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

The undersigned counsel respectfully requests a thirty day extension 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 extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. On October 5, 2017, counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in In the Matter of the Care and Treatment of Carl Matthew Asquith with the Supreme Court. On September 25-27, 2017, counsel attended the Annual Public Defender Association Conference in Myrtle Beach. On September 22, 2017, counsel, along with co-counsel, filed the initial brief of appellant and designation of matter in The State v. Bennie Ray

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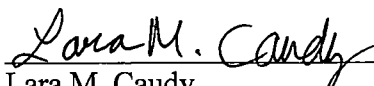
Brown, Jr. with the Supreme Court. On September 21, 2017, counsel filed the brief of petitioner in The State v. Roy Lee Jones with the Supreme Court. On September 20, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Brett Howard v. The State with the Supreme Court. On September 18, 2017, counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in The State v. Wayland Purnell with the Supreme Court. On September 8, 2017, counsel filed the petition for writ of certiorari, accompanying appendix, and brief of appellant pursuant to White v. State in Gregory Murphy v. State with the Supreme Court. On August 31, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Terrence Seabrook with this Court. On August 23, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Andrew Blackmon v. The State with the Supreme Court.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.


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

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully 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,



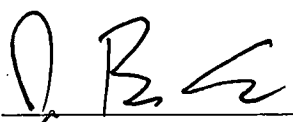
Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

October 6, 2017

I do not oppose:



J. Benjamin Aplin, Esquire