

4th AFD due 10/9/17

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

RECEIVED

OCT 09 2017

SC Court of Appeals
RESPONDENT,

THE STATE,

V.

MICHAEL N. FRASIER,

APPELLANT

APPELLATE CASE NO. 2017-000802

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

Counsel for Michael N. Frasier respectfully requests an extension of a **final thirty (30) days, until November 8, 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 Michael N. Frasier respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State of South Carolina v. Preston Ryan Oates with the Supreme Court on October 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Jalon Ted Taylor with the Supreme Court on October 2, 2017. Counsel filed the Brief of Petitioner in the case of The State of South Carolina v. Darryl Frierson with the Supreme Court on September 21, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. David Smith with the Supreme Court on September 15, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Kevin Tyrone Bryant with the Court of Appeals on September 15, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jacob Drotning with the Court of Appeals on September 6, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Latroy D. Sampson with the Court of Appeals on August 30, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Damon Jacquise Jones with the Supreme Court on August 18, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Robert Joe Frost with the Court of Appeals on August 16, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Preston Ryan Oates with The Court of Appeals on August 9, 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.

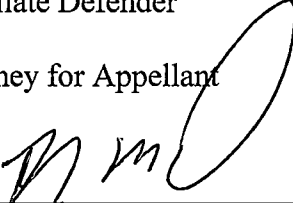
5. Counsel for the Attorney General's office consents to this request shown by signature below.

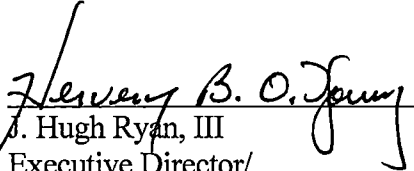
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until November 8, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Kathrine H. Hudgins
Appellate Defender

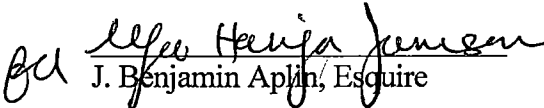
Attorney for Appellant


Robert M. Dudek
Chief Appellate Defender


Hervery B. O. Young
Executive Director/
Hervery B.O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 9th day of October, 2017.

I consent:


J. Benjamin Applin, Esquire