

3rd AFB due 10/13/17

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County

Clifton Newman, Circuit Court Judge

RECEIVED  
OCT 13 2017  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

HORACE ELIJAH WATTS,

APPELLANT

Appellate Case No. 2017-000255

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. Counsel is preparing to file the initial brief of appellant and designation of matter in the murder case of The State v. Deshanndon Markelle Franks with this Court on Friday, October 13, 2017. Counsel is doing research for the petition for writ of certiorari to the Supreme Court of the United States in the death penalty case of The State v. Ricky Lee Blackwell due October 27, 2017. Counsel prepared a CLE presentation on the case law update for the Public Defender Convention in Myrtle Beach, South Carolina for September 25, 2017. Counsel also prepared



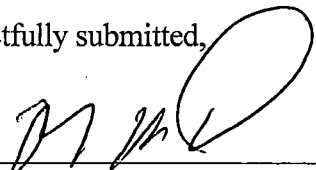
two presentations for the Post-Conviction Relief workshop that was held on Friday, September 29, 2017 at the office of the Commission on Indigent Defense. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Shannon Scott with the Supreme Court September 21, 2017. Counsel filed the brief of petitioner in the case of The State v. James Scott Cross with the Supreme Court on September 15, 2017. Counsel filed the petition for rehearing in the case of The State v. Robert Lee Moore with this Court on September 14, 2017. Counsel filed the petition for writ of certiorari in the case of Alfonzo J. Howard v. The State with the Supreme Court on September 8, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Edward Primo Bonilla with this Court on September 1, 2017. 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. 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 has extensive administrative duties as the Chief Appellate Defender.**

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 the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by the counsel 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,

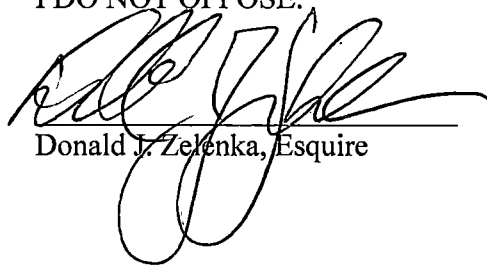


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Robert M. Dudek  
Chief Appellate Defender

October 13, 2017

I DO NOT OPPOSE:



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Donald J. Zelenka, Esquire