

3rd AFB due 10/25/17

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

v.

WAYNE RICKEY COUEY,

RECEIVED
OCT 25 2017
RESPONDENT,
SC Court of Appeals

APPELLANT

APPELLATE CASE NO 2017-000709

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

Counsel for appellant respectfully requests an extension of thirty (30) days, **until November 24, 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 third 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 two previous extensions.

2. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Mark Stephen Wingo with the Supreme Court on October 9, 2017. Counsel filed the petition for

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writ of certiorari and appendix in the case of The State v. Michael Lamar Couch with the Supreme Court on October 6, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jimmy Edward Duncan with the Court of Appeals on September 29, 2017. 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.

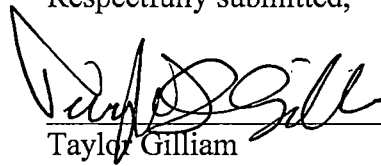
4. Counsel makes this request in good faith and not for purpose of delay.

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

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, until **November 24, 2017**, in which to file the initial brief of appellant and designation

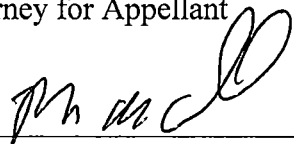
of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 25th day of October, 2017.

I consent:



Benjamin Aplin, Esquire