

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ELIDORO CARILLO ONTIVEROS,

APPELLANT

APPELLATE CASE NO. 2017-000430

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

Counsel for Elidoro Carillo Ontiveros respectfully requests a **fourth and final** extension of thirty days **until December 6, 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 Elidoro Carillo Ontiveros 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.

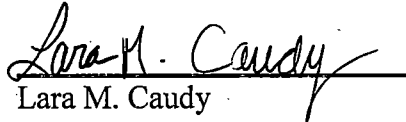
3. Today, November 6, 2017, counsel will file the return to the petition for writ of certiorari in Therron Richardson v. The State with this Court. Today, November 6, 2017, counsel will also file the petition for writ of certiorari and accompanying appendix in Antoine L. Shields v. The State with this Court. On October 30, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Tevon Michael Jackson v. The State with this Court. On October 27, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Brian Daugherty with the Court of Appeals. On October 16, 2017, counsel filed the return to the petition for writ of certiorari in Alexander Ruiz v. The State with this Court. On October 9, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in John Hogan v. The State with this Court. 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 this 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 Brown, Jr. with this Court.

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 her 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.

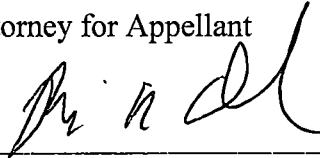
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty day extension** until **December 6, 2017**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,


Lara M. Caudy

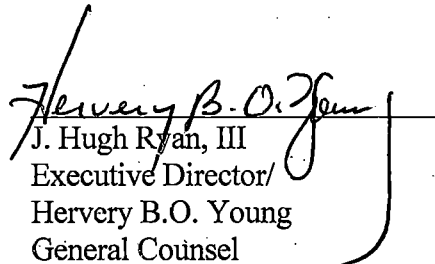
Appellate Defender

Attorney for Appellant



Robert M. Dudek

Chief Appellate Defender


J. Hugh Ryan, III
Executive Director/
Hervery B.O. Young
General Counsel

This 6th day of November, 2017.

I consent:


J. Benjamin Aplin, Esquire