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3rd AFB due 11/27/17

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Aiken County
Doyet A. Early, Circuit Court Judge

THE STATE,

V.

CLARENCE ASHBY III,

RECEIVED
NOV 27 2017
S.C. Court of Appeals
RESPONDENT

APPELLANT

APPELLATE CASE NO. 2017-000781

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 November 20, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. James John Abernathy with this Court. On November 15, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Calvin Solomon Barr with this Court. On November 6, 2017, counsel filed the return to the petition for writ of certiorari in Therron Richardson v. The State with the Supreme Court. On November 6, 2017, counsel filed

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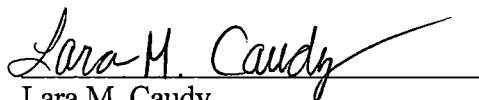
the petition for writ of certiorari and accompanying appendix in Antoine L. Shields v. The State with the Supreme Court. On October 30, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Tevon Michael Jackson v. The State with the Supreme Court. On October 27, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Brian Daugherty with this Court. On October 16, 2017, counsel filed the return to the petition for writ of certiorari in Alexander Ruiz v. The State with the Supreme Court. On October 9, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in John Hogan v. The State with the Supreme 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 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 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.

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.

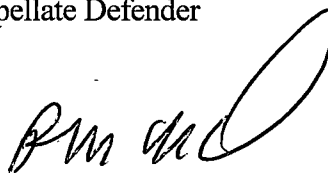
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



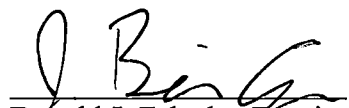
Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

November 27, 2017

I do not oppose:

for 
Donald J. Zelenka, Esquire