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4th AFB due 11/28/17

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County

Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

WAYNE RICKEY COUEY,

RECEIVED  
NOV 28 2017  
APPELLANT  
SC Court of Appeals

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 a **fourth and final** extension of thirty (30) days **until December 28, 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 appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

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previously granted and the order in which counsel attempts to manage his 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 v. John William Dobbins with the Supreme Court on November 13, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. London Devonta Wooden with the Supreme Court on November 13, 2017. Counsel held a reconstruction hearing in the case of Quincy McCants v. State of South Carolina in Orangeburg County on November 8, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Keith Letmon with the Supreme Court on November 8, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Robert Keith Moss with the Court of Appeals on November 1, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Kristie Martin Bishop with the Supreme Court on October 30, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Curt Davis with the Court of Appeals on October 30, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Chad Morris with the Court of Appeals on October 27, 2017. Counsel filed the return to the petition for writ of certiorari in the case of The State v. Eric Eton Hewins with the Supreme Court on October 26, 2017. 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 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.

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.

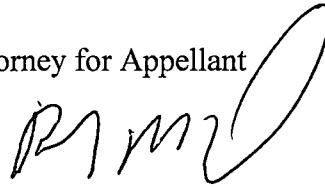
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until December 28, 2017** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

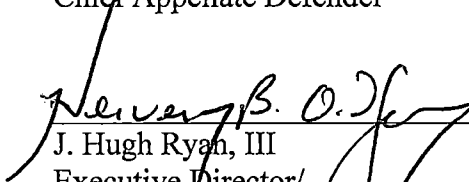


Taylor D. Gilliam  
Appellate Defender

Attorney for Appellant




Robert M. Dudek  
Chief Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 28<sup>th</sup> day of November, 2017.

I consent:

  
Benjamin Aplin, Esquire