

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

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

THE STATE,

RESPONDENT,

V.

HEYWARD LEGREE MARTIN,

APPELLANT

Appellate Case No. 2017-000559

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

RECEIVED
DEC 15 2017
SC Court of Appeals

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 filed the Brief of Petitioner in the case of The State of South Carolina v. Demetrice R. James with the Supreme Court on December 15, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of David A. Pate v. The State of South Carolina with the Supreme Court on December 11, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Kevin Daniel Driggers with the Court of Appeals on December 8, 2017. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30,

2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jamie L. Strom with the Court of Appeals on November 29, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Christopher Jermaine Wells with the Court of Appeals on November 22, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kristopher Wilmont Berry v. The State of South Carolina with the Supreme Court on November 17, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Elijah A. Brown v. The State of South Carolina with the Supreme Court on November 16, 2017. Counsel filed the Return to Petition for Writ of Certiorari in the case of Robert Eugene Shaver v. The State of South Carolina with the Supreme Court on November 15, 2017. Counsel had an oral argument in the case of The State of South Carolina v. Stephen Smalls before this Court on November 14, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Demetrius D. Smalls v. The State of South Carolina with the Supreme Court on November 13, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Timothy Donald Dingle v. The State of South Carolina with the Supreme Court on November 13, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Michael N. Frasier with the Court of Appeals on November 7, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jose Reyes Reyes with the Court of Appeals on November 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Kevin Shane Epting v. The State of South Carolina with the Supreme Court on October 30, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State of South Carolina v. Preston Ryan Oates with the Supreme Court on October 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Jalon Ted Taylor v. The State of South Carolina with the Supreme Court on October 2, 2017.

3. This request is made in good faith, and not for purposes of delay.

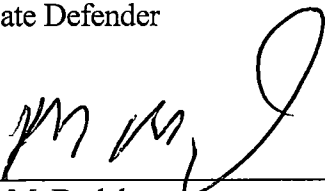
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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,



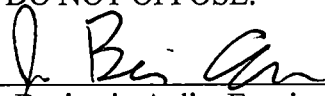
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 15, 2017

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire