

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Laurens County

Honorable Robin B. Stilwell, Circuit Court Judge

RECEIVED

DEC 15 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ROY ELLIS SMITH,

APPELLANT

APPELLATE CASE NO. 2017-000532

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.

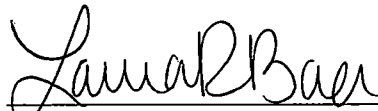
2. Counsel appeared in general session's court in Richland County for a hearing in State v. Michael A. Smith on December 7, 2017. Counsel filed the initial reply brief in State v. Michael J. Finley with this Court on December 5, 2017. Counsel filed the petition for rehearing in Richard Cappell v. State with this Court on December 5, 2017. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar in Columbia, South Carolina on November 30, 2017. Counsel filed the petition for rehearing in Esaiveus F.

Booker v. State with this Court on November 29, 2017. Counsel filed the petition for writ of certiorari in Abbdul O. Emmaunel v. State with the Supreme Court on November 20, 2017. Counsel filed the Johnson petition for writ of certiorari in Willie Edwards v. State with the Supreme Court on November 17, 2017. Counsel filed the Johnson petition for writ of certiorari in Anthony Q. Robinson v. State with the Supreme Court on November 13, 2017. Counsel filed the petition for writ of certiorari in Juan Nimmons v. State with the Supreme Court on November 6, 2017. Counsel filed the initial brief of appellant in State v. Brian Lewis with this Court on October 31, 2017. Counsel filed the Johnson petition for writ of certiorari in Robert Lee v. State with the Supreme Court on October 25, 2017.

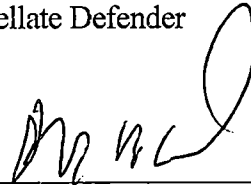
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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,



Laura R. Baer  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

December 15, 2017

I DO NOT OPPOSE:

  
Benjamin J. Aplin, Esquire