

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County

Honorable Steven H. John, Circuit Court Judge  
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THE STATE,

RESPONDENT,

v.

DAVID JAMES WELCH,

APPELLANT

APPELLATE CASE NO. 2017-001019  
\_\_\_\_\_

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

Counsel for David James Welch respectfully requests an extension of a **final thirty (30) days, until February 1, 2018**, 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 David James Welch 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. 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.

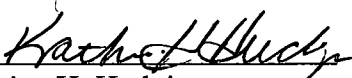
Frasier with the Court of Appeals on November 7, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jose Reyes Reyes with the Court of Appeals on November 2, 2017.

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.

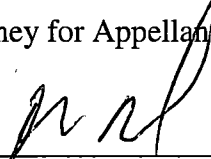
5. Counsel for the Attorney General's office consents to this request shown by signature below.

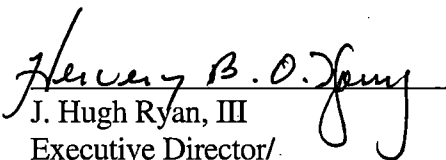
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until February 1, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
Kathrine H. Hudgins  
Appellate Defender

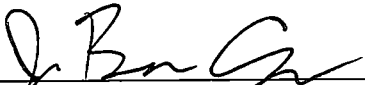
Attorney for Appellant

  
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 2nd day of January, 2018.

I consent:



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J. Benjamin Aplin, Esquire