

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Colleton County

Perry M. Buckner, Circuit Court Judge

ORIGINAL

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ERNEST RAY BAILEY,

APPELLANT

APPELLATE CASE NO. 2017-001290

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.

2. Counsel filed the return to petition for writ of certiorari in the case of David Allen Goins v. State in the Supreme Court on December 27, 2017. Counsel filed the brief of appellant in the case of State v. Brandon Marshall in this Court on December 20, 2017. Counsel filed the

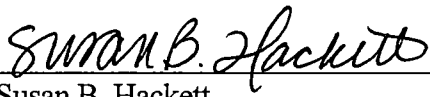


brief of petitioner in the case of State v. Wayne Gary Polite in the Supreme Court on December 15, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Channen Ricks in this Court on December 13, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James N. Starnes v. State in the Supreme Court on December 11, 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 brief of appellant pursuant to Austin v. State and accompanying appendix in the case of William Outlaw v. State in the Supreme Court on November 29, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Outlaw v. State in the Supreme Court on November 29, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Mack Seal Washington in this Court on November 29, 2017. Counsel was a guest speaker at the Public Defense 101: Fundamentals of the Profession 101 seminar on November 20, 2017. Counsel filed the petition for writ of certiorari to this Court in the case of State v. Jake Lake in the Supreme Court on November 17, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Sidney Antoine Holmes in this Court on November 15, 2017. Counsel filed the brief of petitioner in the case of Allen J. Gathings v. State in the Supreme Court on November 13, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Joshua Warren Hopkins in this Court on November 7, 2017. Counsel filed the petition for rehearing In The Matter Of The Care And Treatment Of Keith Fitzgerald Burris in this Court on November 2, 2017.

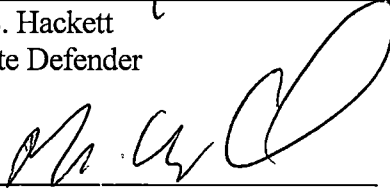
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 2, 2018

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire