

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County  
Kristi Lea Harrington, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

TERRELL ARTIETH SMITH,

APPELLANT

APPELLATE CASE NO. 2017-001178

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

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Counsel for Terrell Artieth Smith respectfully requests a **fourth and final** extension of thirty days **until February 2, 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 Terrell Artieth Smith 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.

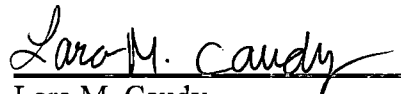
3. Today, January 2, 2018, counsel will file the initial brief of appellant and designation of matter in The State v. Latson Ray Matthews with this Court. On December 21, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Anthony Carter v. The State with the Supreme Court. On December 13, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Charles L. Anderson v. The State with the Supreme Court. On December 13, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in George J. Williams v. The State with the Supreme Court. On December 6, 2017, counsel had an oral argument in The State v. Jerome C. Smith before this Court. On November 30, 2017, counsel was a lead participant during the breakout session at the Appellate Practice Project CLE in Columbia, South Carolina. On November 30, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Elidoro Carrillo Ontivero with this Court. On November 20, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. James John Abernathy with this Court. On November 15, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Calvin Solomon Barr with this Court. On November 6, 2017, counsel filed the return to the petition for writ of certiorari in Therron Richardson v. The State with the Supreme Court. On November 6, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Antoine L. Shields v. The State with the Supreme Court.

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 her 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.

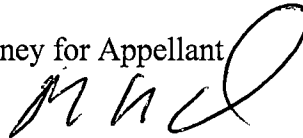
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty day extension** until **February 2, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

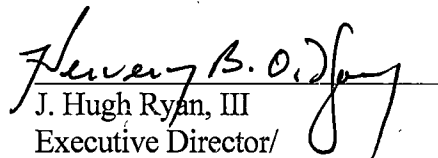


Lara M. Caudy  
Appellate Defender

Attorney for Appellant



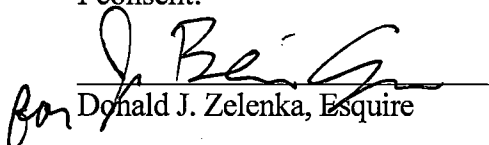
Robert M. Dudek  
Chief Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervey B.O. Young  
General Counsel

This 2nd day of January, 2018.

I consent:

  
for Donald J. Zelenka, Esquire