

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Georgetown County

Honorable Michael G. Nettles, Circuit Court Judge

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RECEIVED  
JAN 02 2018  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MARVIN LUTHER MYERS,

APPELLANT

APPELLATE CASE NO. 2017-001044

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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 Marvin Luther Myers respectfully requests an extension of thirty (30) days 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 third 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 two previous extensions.
2. Counsel for Marvin Luther Myers 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.

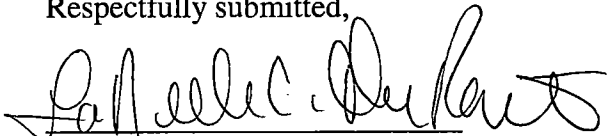
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Roger Leon Fortune v. The State with the Supreme Court on December 27, 2017. Counsel filed the petition for writ of certiorari and the petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Jonathan Leon Simpson v. The State with the Supreme Court on December 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Melvin Samuel Holmes v. The State with the Supreme Court on December 14, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dantonyo Andropulis Heath v. The State with the Supreme Court on December 12, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry Lee Dickey v. The State with the Supreme Court on December 6, 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 petition for rehearing in the case of The State v. Michael Antonio Williams with the Court of Appeals on November 29, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Lance Leon Miles with the Supreme Court on November 14, 2017. Counsel had an oral argument in the case of The State v. Keyon Robinson before the Court of Appeals on November 8, 2017. Counsel had an oral argument before the court of Appeals in the case of The State v. Antwan J. Jett on November 7, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Ward with the Court of Appeals on November 3, 2017.

4. Counsel makes this request in good faith and not for purpose of delay.

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

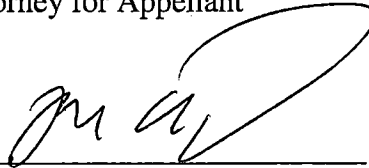
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant  
Appellate Defender


Attorney for Appellant



Robert M. Dudek  
Chief Appellate Defender

This 2nd day of January, 2018.

I consent:



J/Benjamin Aplin, Esquire