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3rd AFB due 4/5/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lexington County

Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED
JAN 05 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

DAVID RICHARD WALKER, JR.,

APPELLANT

APPELLATE CASE NO. 2017-000550

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, along with Chief Appellate Defender Robert M. Dudek, is currently working on a reply in the death penalty case of Ricky Lee Blackwell v. South Carolina, which is pending in the United States Supreme Court. Counsel filed the Petition for Writ of Certiorari in the case of James Junior Little v. State with the Supreme Court on January 4, 2018. Counsel

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filed the initial brief and designation of matter in the case of State v. Charles Alton Morehouse with this Court on January 2, 2018. Counsel filed the brief of petitioner in the case of State v. James Kevin Bethel with the Supreme Court on December 15, 2017. On December 13, 2017, counsel was present to testify in circuit court before the Honorable Clifton Newman in the PCR matter of Stewart Ard v. State, pursuant to a subpoena from the Attorney General. Counsel filed the brief of appellant in the case of State v. Jason Scott Morton with this Court on December 7, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix with the Supreme Court in the case of Antrell Rashawn Felder v. State on December 4, 2017. On November 30, 2017, Counsel participated in an Appellate Practice and Advocacy CLE at the Bar Conference Center in Columbia. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of James Gibson with this Court on November 29, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Charles Sullivan with this Court on November 28, 2017. Counsel filed the brief of petitioner in the case of Darrell L. Goss v. State with the Supreme Court on November 20, 2017. On November 15, 2017, counsel had oral arguments before the Supreme Court in the case of State v. Gerald Barrett. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of State v. Lorenzo Bernard Young with the Supreme Court on November 13, 2017. Counsel filed the initial reply brief in the case of State v. Robin Renee Herndon with this Court on November 9, 2017. Counsel had oral arguments before this Court in the case of State v. Bobby Randolph Sims on November 8, 2017. Counsel attended a conference in Boston, Massachusetts on civil commitment for sexual offenders on November 3 – 5, 2017. On November 1, 2017, counsel appeared before the


Honorable R. Knox McMahon on a remand from this Court in the case of State v. Courtney L. Price.

3. This request is made in good faith, and not for purposes 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.

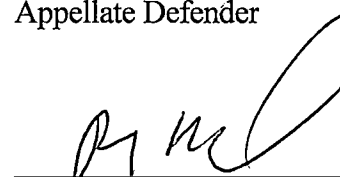
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

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,



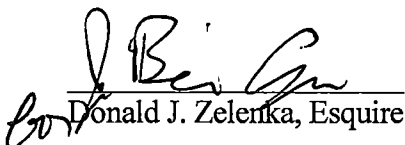
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 5th day of January, 2017

I do not oppose:



Donald J. Zelenka, Esquire