

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Berkeley County

Honorable Kristi Lea Harrington, Circuit Court Judge

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IN THE MATTER OF THE CARE AND  
TREATMENT OF CRAIG ALLEN CARROLL,

APPELLANT

APPELLATE CASE NO 2017-000972

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**RECEIVED**  
JAN 17 2018  
SC Court of Appeals

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 appellant respectfully requests a **fifth and final** extension of ten (10) days **until January 29, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter before this deadline if at all possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fifth 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 four previous extensions.
  2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions
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previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required. **This is a SVP case with numerous novel issues. I have discussed this extension with Chief Appellate Defender, Robert M. Dudek, and he is in agreement that the magnitude of the case justifies this extension request. Furthermore, the twenty-five page report from the State's expert which was submitted to the court was not listed in the exhibit list from the transcript of Appellant's trial. Counsel has requested that report and will need to review it before filing.**

3. Counsel has inherited multiple cases from prior Appellate Defender John Strom, who moved to Washington, D.C. in 2017. Oral arguments will be held in one of those cases, The State v. Paula Rose, at the Court of Appeals on Monday, February 5, 2018. The record in that case is 1,077 pages long. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. James Dawkins with the Supreme Court on January 16, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Wayne Couey with the Supreme Court on January 2, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Yanisha C. Barr with the Supreme Court on December 18, 2017. Counsel argued in the case of State v. James Clyde Dill, Jr., in the Supreme Court on December 13, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Jimmy Gallishaw with the Supreme Court on December 13, 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 writ of certiorari to the Court of Appeals and appendix in the case of The State v. John William Dobbins with the Supreme Court on November 13, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. London Devonta Wooden with the Supreme Court on November 13, 2017.

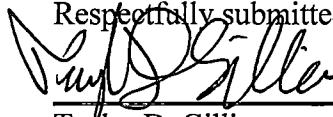
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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.

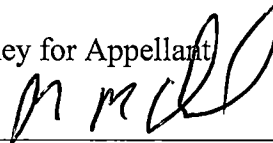
WHEREFORE, the undersigned counsel would respectfully request a **final ten (10) day extension until January 29, 2018** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

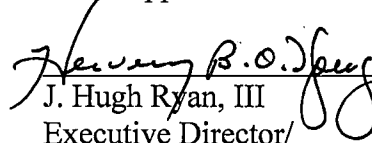


Taylor D. Gilliam  
Appellate Defender

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 17<sup>th</sup> day of January, 2018.

I consent:



for Deborah R.J. Shupe, Esquire