

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Clarendon County

Honorable D. Craig Brown, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

v.

JON PAUL SMART,

APPELLANT

APPELLATE CASE NO. 2017-001754

\_\_\_\_\_  
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 will file the initial brief of appellant in State v. Ashley Tindall with this Court today, February 1, 2018. Counsel will file the initial brief of appellant in State v. Dinal Keith with this Court today, February 1, 2018. Counsel filed the reply to return in Anthony Martin v. State with the Supreme Court on January 26, 2018. Counsel filed the brief of petitioner in Stephon Robinson v. State with the Supreme Court on January 12, 2018. Counsel filed the return to petition for writ of certiorari in State v. Eugene Gardner with the Supreme

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Court on December 29, 2017. Counsel filed the petition for writ of certiorari in Robin G. Reese v. State with the Supreme Court on December 27, 2017. Counsel filed the Motion to Dismiss the Notice of Appeal as Interlocutory in State v. Ronald Hakeem Mack with this Court on December 19, 2017. Counsel appeared in general session's court in Richland County for a hearing in State v. Michael A. Smith on December 7, 2017.

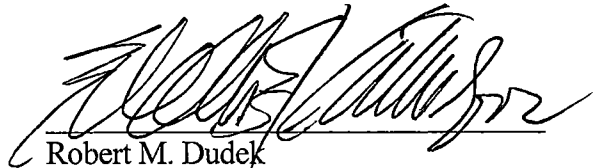
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



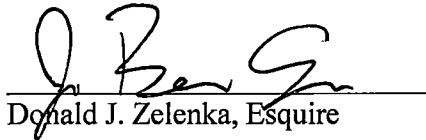
Laura R. Baer  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

February 1, 2018

I DO NOT OPPOSE:

  
for Donald J. Zelenka, Esquire