

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Colleton County

Perry M. Buckner, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ERNEST RAY BAILEY,

APPELLANT

APPELLATE CASE NO. 2017-001290

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a **final thirty-day extension until March 2, 2018** 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of Wiley Sisk v. State in this Court on February 1, 2018. Counsel filed the petition for writ of

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certiorari and accompanying appendix in the case of Jeron Alondo Cook v. State in the Supreme Court on January 22, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Patrick Strozier in the Court of Appeals on January, 17, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Malcolm Williams in the Court of Appeals on January, 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Charvus Nesbitt v. State in the Supreme Court on January 5, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Keith Burris in the Supreme Court on January 4, 2018. Counsel filed the return to petition for writ of certiorari in the case of David Allen Goins v. State in the Supreme Court on December 27, 2017. Counsel filed the brief of appellant in the case of State v. Brandon Marshall in the Court of Appeals on December 20, 2017. Counsel filed the brief of petitioner in the case of State v. Wayne Gary Polite in the Supreme Court on December 15, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Channen Ricks in the Court of Appeals on December 13, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James N. Starnes v. State in the Supreme Court on December 11, 2017. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 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.

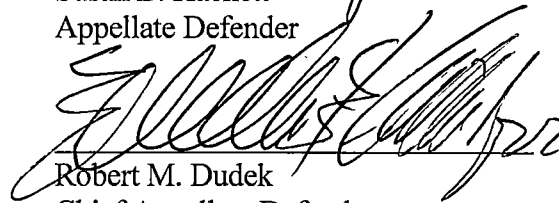
WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until March 2, 2018** in which to file the initial brief of appellant and designation of

matter in this case. Counsel 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,


Lara M. Caudy for:

Susan B. Hackett
Appellate Defender



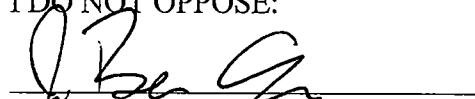
Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

February 1, 2018

I DO NOT OPPOSE:


J. Benjmain Aplin, Esquire