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3rd ATB due 2/1/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County

Honorable Larry B. Hyman, Circuit Court Judge

RECEIVED
FEB 01 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

ANTWUAN LEVON NELSON,

APPELLANT

APPELLATE CASE NO. 2017-001406

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 filed the initial brief of appellant and designation of matter in the case of State v. Jaycoby Terreak Williams with this Court on January 30, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. John Anthony Singleton with this Court on January 25, 2018. Counsel filed the initial brief of appellant and designation of

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matter in the case of State v. Michael Anthony Bodison with this Court on January 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Christopher Busch with this Court on January 17, 2018. Counsel filed the initial brief of respondent and designation of matter in the case of In the Matter of the Care and Treatment of Gerald Barrett with this Court on January 17, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Gabriel Jon Rios v. State with the Supreme Court on January 16, 2018. Counsel assisted Chief Appellate Defender Robert M. Dudek with the reply to return to petition for writ of certiorari in the death penalty case of Ricky Lee Blackwell v. South Carolina, filed on January 11, 2018 with the Supreme Court of the United States. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Wake Hunt with this Court on January 11, 2018. 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 filed the initial brief of appellant 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

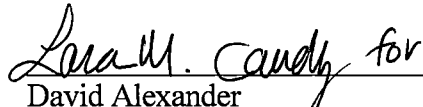
Columbia. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of James Gibson with this Court on November 29, 2017.

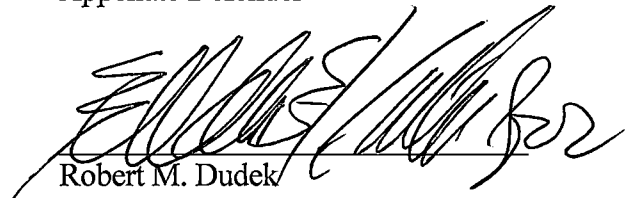
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 1st day of February, 2018

I do not oppose:


J. Benjamin Aplin, Esquire