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5th ATB due 2/1/18

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Certiorari to Greenwood County

Frank R. Addy, Circuit Court Judge

RECEIVED  
FEB 01 2018  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HOWARD JAMES WOODS, JR.,

APPELLANT

APPELLATE CASE NO. 2017-000775

MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

Counsel for Howard James Woods, Jr., respectfully requests a **final extension of thirty (30) days, until March 5, 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 the deadline if possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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. **Counsel has a confirmed case of the flu, and has been told by the doctor not to return to the work before February 2, 2018 making this extension request extraordinary and**

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**an exigent circumstance one. Counsel has been out of work with the flu since January 26, 2018, and his anticipated return to work February 2, 2018 is not guaranteed.**

2. Counsel for Howard James Woods, Jr., respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for rehearing in the case of The State v. Christina Reece with this Court on January 24, 2018. Counsel filed the brief of petitioner in the case of The State v. Jalann Williams with the Supreme Court on January 16, 2018. Counsel, along with co-counsel, David Alexander, filed the reply of petitioner to the Supreme Court of the United States in the death penalty case of The State v. Ricky Lee Blackwell on January 11, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Willie Gray with this Court on January 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Carlos Ruiz with this Court on December 29, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Robert Lee Moore with the Supreme Court on December 19, 2017. Counsel filed the initial brief of appellant in the case of The State v. John Andrew Biggs with this Court December 8, 2017. Counsel had an oral argument in the case of The State v. Dalonte Green with this Court on December 5, 2017. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.**

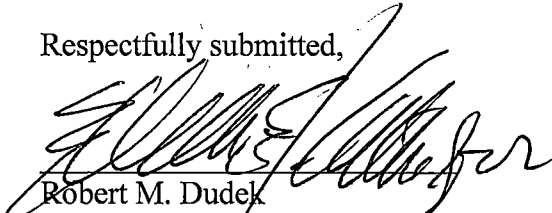
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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, based on the above exigent and unforeseen extraordinary circumstances the undersigned counsel would respectfully request **a final thirty (30) day extension until March 5, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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

This 1st day of February, 2018.

I consent:



J. Benjamin Aplin, Esquire