

4th AFB due 2/5/18
ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable R. Knox McMahon, Circuit Court Judge

RECEIVED
FEB 05 2018
SC Court of Appeals

STATE,

RESPONDENT,

V.

DAVID RICHARD WALKER, JR.,

APPELLANT

APPELLATE CASE NO. 2017-000550

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

Counsel for David Richard Walker, Jr. respectfully requests a **fourth and final** extension of thirty (30) days **until March 7, 2018**, days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth 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 three previous extensions.

2. Counsel for David Richard Walker, Jr. respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 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 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,

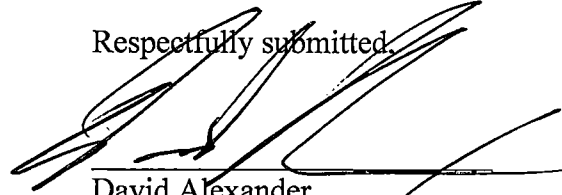
pursuant to a subpoena from the Attorney General. Counsel filed the brief of appellant in the case of State v. Jason Scott Morton with this Court on December 7, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix with the Supreme Court in the case of Antrell Rashawn Felder v. State on December 4, 2017.

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.

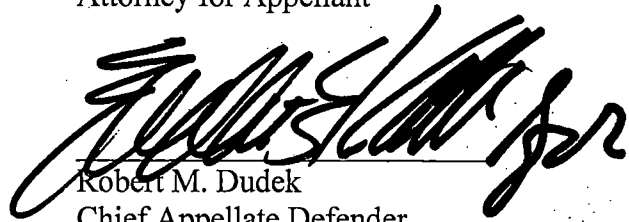
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **March 7, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

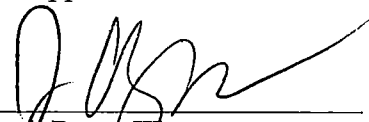


David Alexander
Appellate Defender

Attorney for Appellant



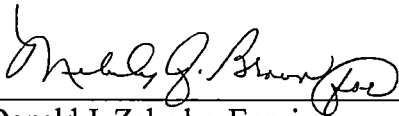
Robert M. Dudek
Chief Appellate Defender



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 5th day of February, 2017.

I consent:



Donald J. Zelenka, Esquire