

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

4th AFB due 2/2/18

ORIGINAL

Appeal from Anderson County

R. Lawton McIntosh, Circuit Court Judge

RECEIVED

FEB 07 2018

SC Court of Appeals
RESPONDENT

THE STATE,

V.

JUSTIN JAMAL WARNER,

APPELLANT

APPELLATE CASE NO. 2017-001313

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

Counsel for Justin Jamal Warner respectfully requests an extension of **thirty (30) days, until March 9, 2018**, 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 Justin Jamal Warner 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 had oral argument in the case of The State v. Richard Krochmal heard in this Court on February 6, 2018. 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 has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.**

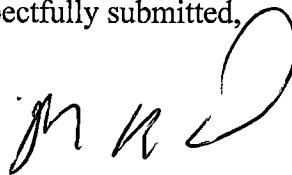
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

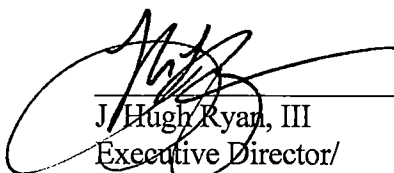
WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, until March 9, 2018**, in which to file the initial brief of appellant and designation of

matter in this case based upon the above exigent circumstances. 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 7th day of February, 2018.

I consent:

for 
Donald J. Zelenka, Esquire