

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Laurens County

Honorable Benjamin H. Culbertson, Circuit Court Judge

RECEIVED  
FEB 12 2018  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KATY MCDONALD TUTTLE,

APPELLANT

APPELLATE CASE NO 2017-000883

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

Counsel for appellant respectfully requests an extension of thirty (30) days, **until March 14, 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 third 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 two previous extensions. Counsel has been awaiting the arrival of a CD containing videos regarding Appellant Tuttle's case. The CD was received on

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February 5, 2018. Counsel will be reviewing the videos in order to prepare the initial brief of appellant.

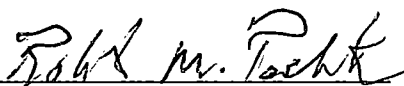
2. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State v. Deshon Jermaine Norman with the Court of Appeals on February 1, 2018. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State v. Cassidy Lynn Lewis with the Court of Appeals on January 29, 2018. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of La'Quan Damon Bryan v. The State with the Supreme Court on January 26, 2018. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Benjamin Paul Green v. The State with the Supreme Court on January 22, 2018. Counsel filed the Brief of Appellant in the case of The State v. J'quan Scott with the Court of Appeals on January 12, 2018. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Jessie James Robinson v. The State with the Supreme Court on January 11, 2018. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Jessie James Robinson v. The State with the Supreme Court on January 11, 2018. Counsel filed the Brief of Appellant pursuant to White v. State in the case of Mickey Markell Johnson v. State in the Supreme Court on January 5, 2018. Counsel filed the Petition for Writ of Certiorari and Appendix and Supplemental Appendix in the case of Mickey Markell Johnson v. State in the Supreme Court on January 5, 2018. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Charles Edward Dupree v. State in the Supreme Court on December 4, 2017.

3. Counsel makes this request in good faith and not for purpose of delay.

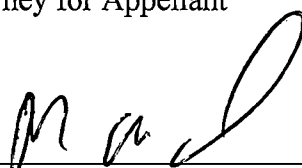
4. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, until **March 14, 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,

  
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Robert M. Pachak  
Appellate Defender

Attorney for Appellant

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 12<sup>th</sup> day of February, 2018.

I consent:

  
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J/Benjamin Aplin, Esquire