

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County

Honorable R. Knox McMahon, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

v.

NATHAN D. MARTINEZ

APPELLANT

APPELLATE CASE NO. 2016-002494  
\_\_\_\_\_

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

Counsel for Nathan D. Martinez respectfully requests an extension of thirty (30) 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 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.
2. Counsel for Nathan D. Martinez respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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SC Court of Appeals

number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

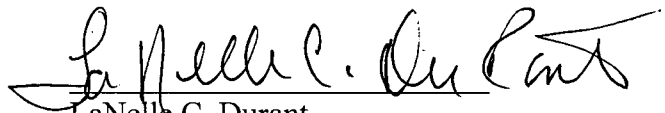
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Toby Eugene Moore v. The State with the Supreme Court on February 9, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Dante Satterwhite v. The State with the Supreme Court on February 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lee Edward Tate v. The State with the Supreme Court on January 25, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher T. Wilson v. The State with the Supreme Court on January 17, 2018. Counsel filed the petition for writ of certiorari and petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Johnny Jones v. The State with the Supreme Court on January 11, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix and accompanying supplemental appendix in the case of Robert A. Young v. The State with the Court of Appeals on January 4, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Roger Leon Fortune v. The State with the Supreme Court on December 27, 2017. Counsel filed the petition for writ of certiorari and the petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Jonathan Leon Simpson v. The State with the Supreme Court on December 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Melvin Samuel Holmes v. The State with the Supreme Court on December 14, 2017.

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

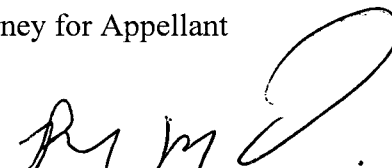
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, 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,

  
\_\_\_\_\_  
LaNelle C. Durant  
Appellate Defender

Attorney for Appellant

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

This 15<sup>th</sup> day of February, 2018.

I consent:

  
\_\_\_\_\_  
J. Benjamin Aplin, Esquire