

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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ORIGINAL

Appeal from Richland County  
William P. Keesley, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

RECEIVED

JIMMY ODEL KANIPE,

MAR 05 2018

APPELLANT SC Court of Appeals

Appellate Case No. 2017-001411

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

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Counsel for Jimmy Odel Kanipe respectfully requests an extension of **thirty (30) days, until April 4, 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 Jimmy Odel Kanipe 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.

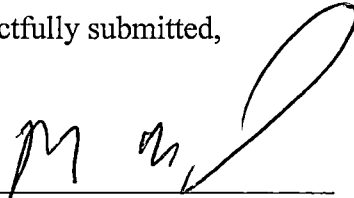
3. Counsel is preparing for a presentation on Friday, March 9, 2018, for the Criminal Sexual Conduct CLE at the Columbia Metropolitan Convention Center in which all materials must be submitted by today, March 5, 2017. Counsel filed the petition for writ of certiorari in the case of Raphael Wooden v. The State with the Supreme Court on March 2, 2018. Counsel presented at the 27<sup>th</sup> Annual Criminal Law Seminar on February 23, 2018. Counsel had an oral argument in the case of The State v. Jeffrey Dana Andrews heard in this Court on February 14, 2018. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Horace Elijah Watts with this Court on February 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the attempted murder case of The State v. Joshua Maiden with this Court on February 9, 2018. Counsel had an 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 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.

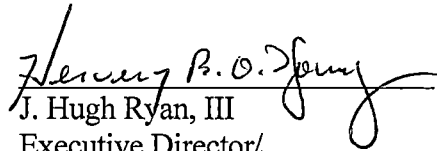
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, until April 4, 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 5th day of March, 2018.

I consent:



J. Benjamin Aplin, Esquire