

7th AFB due 3/7/18

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Brian M. Gibbons, Circuit Court Judge

RECEIVED
MAR 07 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KAYLA GAYLE WRIGHT,

APPELLANT

Appellate Case No. 2017-000091

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

Counsel for Kayla Gayle Wright respectfully requests a **final extension of fifteen (15) days, until March 22, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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.
2. Counsel for Kayla Gayle Wright 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 catching about on his workload after being out of the office with a confirmed and bad case of the flu (type A).** Counsel is preparing for a presentation on Friday, March 9, 2018, for the Criminal Sexual Conduct CLE at the Columbia Metropolitan Convention Center. Counsel also is working on the case of State v. Antwan Baker, **he screens all documents written by the two new Appellate Defenders, and he also must prepare for a Preserving the Record for Appeal presentation next Friday, March 16, 2018 in Charleston for that Circuit's Public Defenders.** 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 27th 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**

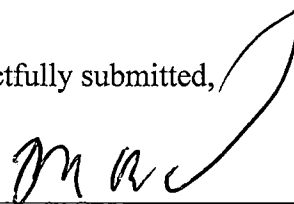
extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.

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.

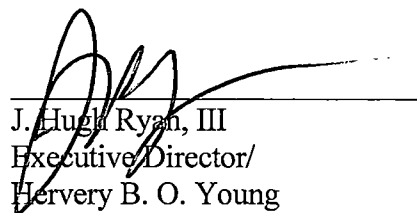
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request **a final fifteen (15) day extension until March 22, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** Counsel apologizes for this extension request but he is catching up on his extensive workload after being out of the office with the flu. 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/

This 7th day of March, 2018.

I consent:


J. Benjamin Apfin, Esquire