

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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

Honorable R. Knox McMahon, Circuit Court Judge

THE STATE,

V.

NATHAN D. MARTINEZ,

RESPONDENT,

**RECEIVED**

MAR 19 2018

SC Court of Appeals  
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 a **final thirty (30) days, until April 18, 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 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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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 John Willie Mack, Sr., v. State(2) with the Supreme Court on March 16, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Senior Jenkins v. The State with the Supreme Court on March 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Anderson v. The State with the Supreme Court on March 8, 2018. Counsel had an oral argument in the case of The State v. David Wilkins Ross before the Supreme Court on March 6, 2018. Counsel filed the brief of appellant and designation of matter in the case of The State v. Marvin Luther Myers, Jr. with the Court of Appeals on March 2, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Franklin Mosier with the Court of Appeals on March 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of K.C. Langford v. The State with the Supreme Court on February 22, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Michael Antonio Williams with the Supreme Court on February 16, 2018. 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.


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.

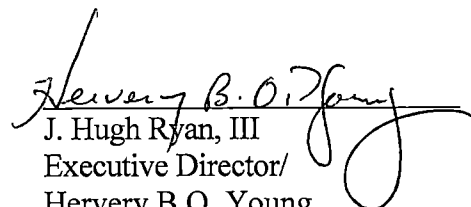
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until April 18, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
LaNelle C. DuRant  
Appellate Defender

Attorney for Appellant

  
Robert M. Dudek  
Chief Appellate Defender

  
J. Hugh Ryan, III  
Executive Director/  
Hervery B.O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 19<sup>th</sup> day of March, 2018.

I consent:

  
J. Benjamin Aplin, Esquire