

7th AFB due 3/21/18

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Certiorari to Greenwood County  
Frank R. Addy, Circuit Court Judge

RECEIVED

MAR 21 2018

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HOWARD JAMES WOODS, JR.,

APPELLANT

APPELLATE CASE NO. 2017-000775

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

Counsel for Howard James Woods, Jr. respectfully requests a **final two (2) day extension, until Friday March 23, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based on the following extraordinary and unusual circumstances. 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. **Counsel is catching up on his workload after being out of the office with a confirmed and bad case of the flu (Type A).**



2. Counsel for Howard James Woods, Jr. 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 filing the initial brief of appellant and designation of matter in the case of The State v. Kayla Wright with this Court today, March 21, 2018, or tomorrow which contains a novel issue counsel has never seen arise in a prior case.* **Counsel has been preparing and has begun evaluating the twenty-four members of the Appellate Division which must be completed by next Friday, March 30, 2018.** Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Matthew Jackson v. The State with the Supreme Court on Monday, March 19, 2018. Counsel presented March 16, 2018, in Charleston, SC for the Charleston and Berkeley County Public Defenders and private defense conflict attorneys on Preserving the Record on Appeal. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antwon Baker with this Court on March 14, 2018. Counsel presented March 9, 2018, for the Criminal Sexual Conduct CLE at the Columbia Metropolitan Convention Center. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Charles Davis with this Court on March 8, 2018. 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

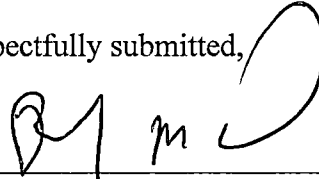
Maiden with this Court on February 9, 2018. Counsel had an oral argument in the case of The State v. Richard Krochmal heard in this Court on February 6, 2018. Counsel filed the petition for rehearing in the case of The State v. Christina Reece with this Court on January 24, 2018. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight. Counsel must also read in advance all of the work of two new appellate defenders before it is filed.**

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.

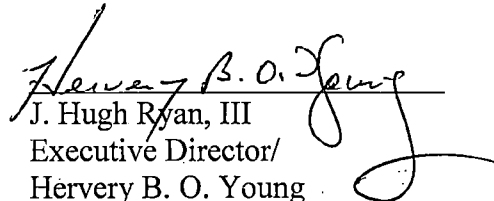
WHEREFORE, the undersigned counsel would respectfully request a **final two (2) day extension until Friday, March 23, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek  
Chief Appellate Defender

Attorney for Appellant



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 21st day of March, 2018.

I consent:

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

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