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6m. RIS due 4/6/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Greenville County

Edward W. Miller, Circuit Court Judge

RECEIVED

APR 06 2018

SC Court of Appeals
APPELLANT,

THE STATE,

V.

JASON SKYLAR ISRAEL POGUE,

RESPONDENT

APPELLATE CASE NO. 2017-000890

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

Counsel for Jason Skylar Israel Pogue respectfully requests a **final four (4) day extension, until April 10, 2018**, in which to file the Initial Brief of Respondent and Designation of Matter in this case. **Counsel will file the Initial Brief of Respondent 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 respondent and designation of matter are due to be filed with the Court today.
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. **Counsel is still working on becoming more current on his caseload after being out of the office an entire week with a confirmed case of the flu. Counsel also is training two new inexperienced appellate defenders which entails discussing their cases with them, and trying always to read their briefs and certiorari petitions in advance of filing. Counsel also has two appellate defenders out of the office on maternity leave which creates additional administrative responsibilities to handle.**

3. Counsel will file the brief of respondent in the case of Edward Young v. The State with the Supreme Court today, April 6, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Steven Lewis with this Court on April 4, 2018. Counsel presented at the PD Investigator's Conference March 30, 2018, in Myrtle Beach, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Howard Woods with this Court on March 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kayla Wright with this Court on March 21, 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 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.

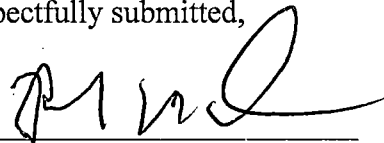
Counsel filed the petition for writ of certiorari in the case of Raphael Wooden v. The State with the Supreme Court on March 2, 2018. Counsel presented at the 27th Annual Criminal Law Seminar on February 23, 2018. Counsel had an oral argument in the case of The State v. Jeffrey Dana Andrews heard in 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 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.

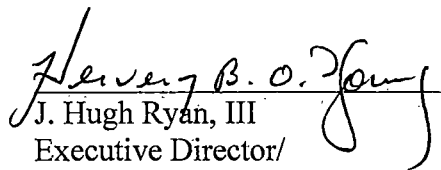
WHEREFORE, the undersigned counsel would respectfully request a **final four (4) day extension until April 10, 2018**, in which to file the initial brief of respondent and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the Initial Brief of Respondent and Designation of Matter before the deadline if possible.** 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

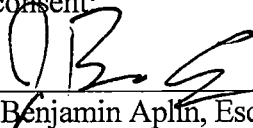
Attorney for Respondent



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 6th day of April, 2018.

I consent:



J. Benjamin Applin, Esquire