

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Anderson County
Honorable R. Scott Sprouse, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIE HOWARD SMALLWOOD,

APPELLANT

Appellate Case No. 2017-001987

RECEIVED
APR 18 2018
SC Court of Appeals

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

Counsel for Willie Howard Smallwood respectfully requests an extension of thirty (30) days, **until May 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 third 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.
2. Counsel for Willie Howard Smallwood respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Logan Mundy with this Court today, April 18, 2018. Counsel has an oral argument in

the case of The State v. Shannon Scott with the Supreme Court today, April 18, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antonio Kenyardo Posey with this Court on April 13, 2018. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Jason Pogue with this Court on April 10, 2018. Counsel filed the brief of respondent in the case of Edward Young v. The State with the Supreme Court on 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, South Carolina 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 has extensive administrative duties as the Chief Appellate**

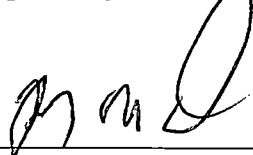
Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defender.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

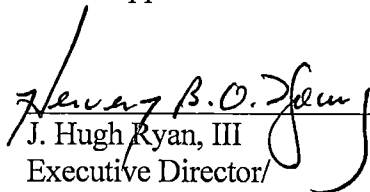
5. Counsel for the South Carolina Department of Probation, Parole, and Pardon Services office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension, **until May 18, 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,



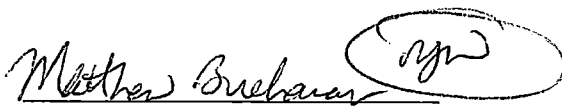
Robert M. Dudek
Chief Appellate Defender



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 18th day of April, 2018.

I consent:



Matthew Buchanan, Esquire