

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from York County

Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

TONY MCKINLEY DILLARD,

APPELLANT

APPELLATE CASE NO. 2017-001895

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

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Counsel for Tony McKinley Dillard respectfully requests an extension of **thirty (30) days, until June 8, 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 Tony McKinley Dillard 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 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. Justin Jamal Warner with this Court today, May 9, 2018. Counsel had an oral argument in the case of The State v. James Cross with the Supreme Court on May 3, 2018. Counsel was a trainer in error preservation at the Public Defense III, three-day seminar in Greenville, South Carolina from April 30, 2018 – May 2, 2018. Counsel presented on Preserving the Record for Appellate Review in Anderson County, South Carolina on April 26, 2018 for the Anderson County Public Defenders and Rule 608 lawyers. Counsel filed the brief of petitioner in the case of The State v. Robert Lee Moore with the Supreme Court on April 25, 2018. Counsel filed the petition for writ of certiorari in the case of Erica Anderson v. The State with the Supreme Court on April 24, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Logan Mundy with this Court on April 18, 2018. Counsel had an oral argument in the case of The State v. Shannon Scott with the Supreme Court on 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

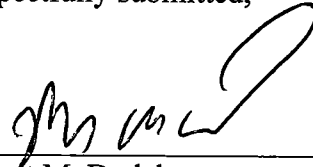
Supreme Court March 19, 2018. Counsel presented March 16, 2018, in Charleston, South Carolina for the Charleston and Berkeley County Public Defenders and private defense conflict attorneys on Preserving the Record on Appeal. Counsel filed the initial brief of appellant and designation of matter in the 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 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.

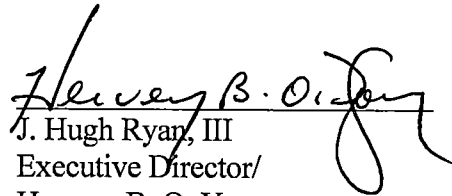
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, until June 8, 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,



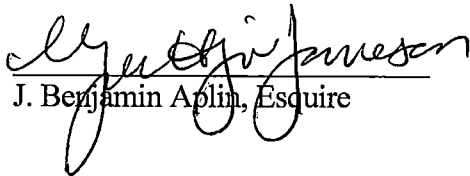
Robert M. Dudek  
Chief Appellate Defender



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

This 9th day of May, 2018.

I consent:



J. Benjamin Arlin, Esquire