

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County

Benjamin H. Culbertson, Circuit Court Judge

RECEIVED

MAY 18 2018

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

PHILIP DAVID GUDERYON,

APPELLANT

APPELLATE CASE NO. 2017-002168

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Johnny Lee Burton in the Court of Appeals on May 16, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Naijuwan Chisolm in the Court

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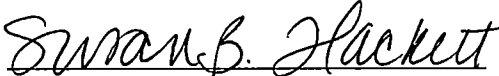
of Appeals on May 14, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Emory Roberts in the Court of Appeals on May 4, 2018. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of State v. Jerome C. Smith in the Supreme Court on April 26, 2018. Counsel filed the reply brief of petitioner in the case of Allen J. Gathings v. State in the Supreme Court on April 24, 2018. Counsel filed the brief of appellant in the case of State v. Valentino Hayward in the Court of Appeals on April 23, 2018. Counsel filed the brief of petitioner in the case of State v. Jake Lake in the Supreme Court on April 23, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Byron Kinsey in the Court of Appeals on April 18, 2018. Counsel argued in the case of State v. James Simmons in the Supreme Court on April 17, 2018. Counsel argued in the case of State v. John Massey in the Court of Appeals on April 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Thomas Shewtzuk in the Court of Appeals on April 10, 2018. Counsel filed the brief of petitioner in the case of State v. Shane Adam Burdette in the Supreme Court on April 6, 2018. Counsel filed the petition for rehearing in the case of State v. James Wayne Miller in the Court of Appeals on April 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Fabian Green in the Court of Appeals on April 4, 2018. Counsel argued in the case of In the Matter of the Care and Treatment of Kenneth Campbell in the Supreme Court on March 29, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Michael Green in the Court of Appeals on March 27, 2018. Counsel represented Alexander Hunsberger in the Motion to Dismiss Hearing in Saluda County on March 21, 2018.

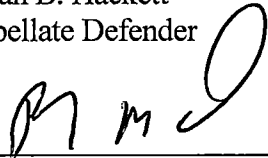
3. This request is made in good faith, and not for purposes of delay.

4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

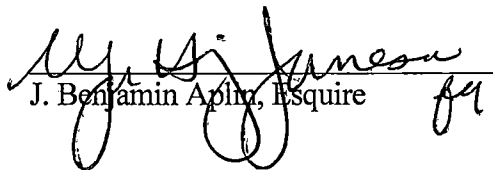
Respectfully submitted,


Susan B. Hackett
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

May 18, 2018

I DO NOT OPPOSE:


J. Benjamin Aplin, Esquire