

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Benjamin H. Culbertson, Circuit Court Judge

ORIGINAL

RECEIVED

JUN 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 **final thirty-day extension until July 18, 2018** 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 three prior orders of this Court.
2. Counsel argued in the case of State v. Wayne Gary Polite in the Supreme Court on June 13, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case

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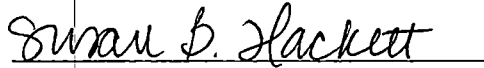
of State v. Marqual Griffin in the Court of Appeals on June 13, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Miller, III in the Court of Appeals on June 6, 2018. Counsel filed the brief of petitioner in the case of Eric Darien v. State in the Supreme Court on June 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randal William Benton v. State in the Supreme court on June 1, 2018. On May 29, 2018, counsel represented Luzenski Cottrell, a potential witness, at a post-conviction relief hearing in Marion, S.C. Counsel filed the petition for rehearing in the case of State v. Rodney Green in the Court of Appeals on May 24, 2018. Counsel filed the brief of petitioner in the case of State v. Michael Tompai in the Supreme Court on May 21, 2018. 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. Najjuwuan Chisolm in the Court 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.

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

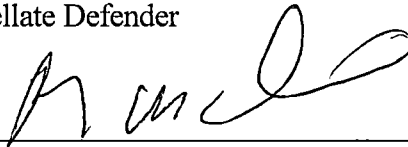
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until July 18, 2018** 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.

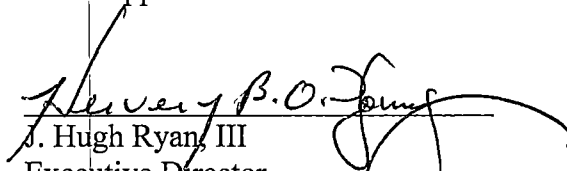
Respectfully submitted,



Susan B. Hackett
Appellate Defender



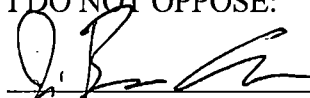
Robert M. Dudek
Chief Appellate Defender



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

June 18, 2018

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire