

4th AFB due 6/25/18

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Roger L. Couch, Circuit Court Judge

RECEIVED
JUN 25 2018
SC Court of Appeals

STATE,

RESPONDENT,

V.

CALVIN BROWN, JR.,

APPELLANT

APPELLATE CASE NO. 2017-002537

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

Counsel for Calvin Brown, Jr. respectfully requests a **fourth and final** extension of thirty (30) days **until July 25, 2018**, days 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 Calvin Brown, 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.

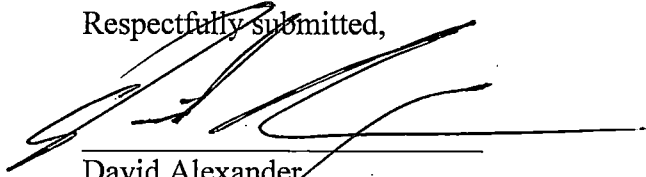
3. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of State v. Gerald Rudell Williams with the Supreme Court on June 21, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of William Ricky Welch v. State with the Supreme Court on June 18, 2018. On June 12, 2018, counsel had oral argument in the case of Darrell L. Goss v. State before the Supreme Court. On June 7, 2018, counsel had oral argument in the case of State v. Michael Juan Smith before this Court. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of David Mario Johnson v. State with the Supreme Court on May 30, 2018. Counsel had oral argument in the case of State v. James Kevin Bethel before the Supreme Court on May 23, 2018. Counsel filed the Brief of Petitioner in the case of State v. Vincent Missouri with the Supreme Court on May 21, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Harold Ruben Ayton v. State with the Supreme Court on May 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Chris Nathaniel Williams with this Court on May 9, 2018. On May 3, 2018, counsel had oral argument in the case of State v. Roy L. Jones before the Supreme Court. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Isaac Glenard Lyles v. State with the Supreme Court on April 25, 2018.

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.

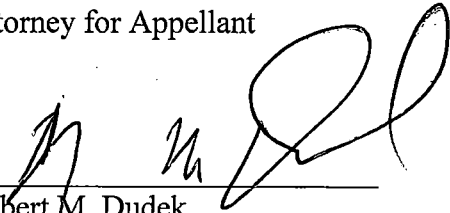
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **July 25, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

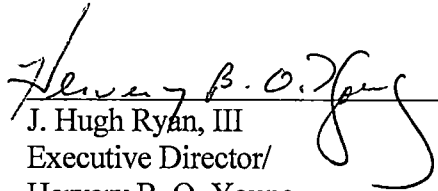


David Alexander
Appellate Defender

Attorney for Appellant



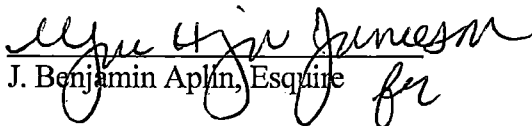
Robert M. Dudek
Chief Appellate Defender



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 25th day of June, 2018.

I consent:



J. Benjamin Applin, Esquire