

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County

Paul M. Burch, Circuit Court Judge

THE STATE,

V.

JOHN ERNEST PERRY,

ORIGINAL
RECEIVED
JUN 28 2018
SC COURT of Appeals
RESPONDENT

APPELLANT

Appellate Case No. 2017-002107

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

Counsel for John Ernest Perry respectfully requests an extension of **thirty (30) days, until July 30, 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 John Ernest Perry 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 Lewis Garvin v. The State with the Supreme Court on June 22, 2018. Counsel had an oral argument in the case of The State v. Donte Brown with the Supreme Court on June 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rohaime Hopkins with this Court on June 8, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. James Williams with this Court on June 4, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Angel Sanchez with this Court on June 1, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jimmy Kanipe with this Court on May 31, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry Scantling v. The State with the Supreme Court on May 29, 2018. Counsel had an oral argument in the case of The State v. Tashon Earl Hurell with this Court on May 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Traevis Mingo with this Court on May 18, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Rose v. The State with the Supreme Court on May 18, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Atrous Dorrell Styles with this Court on May 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Jamal Warner with this Court on 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 has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.**

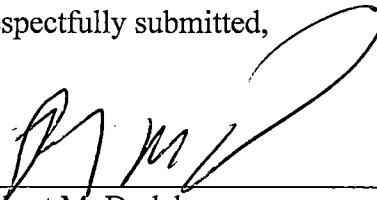
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

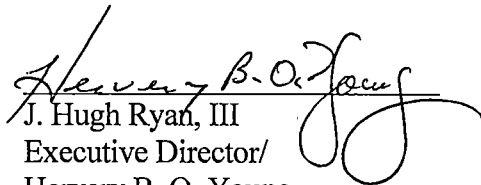
5. Counsel for the Attorney General's office consents to this request shown by signature below.

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



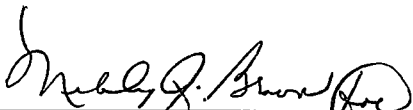
Robert M. Dudek
Chief Appellate Defender



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 28th day of June, 2018.

I consent:



J. Benjamin Aplin, Esquire