

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County

Robert E. Hood, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
JUL 05 2018  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MIMI JOE MARSHALL,

APPELLANT

APPELLATE CASE NO. 2017-002329  
**APPELLATE PRACTICE PROJECT CASE**

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

Counsel for Mimi Joe Marshall respectfully requests a fourth and final extension of twenty-eight days, until August 1, 2018, in which to file the Initial Brief of Appellant and Designation of Matter in this case. Please note that counsel mistakenly filed his previous request as a request for a fourth continuance. This request for extension is the fourth extension counsel has requested. 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 three previous extensions.
2. Counsel for Mimi Joe Marshall respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number

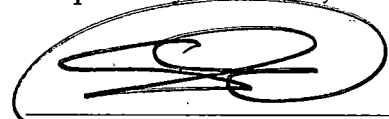
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of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extensions requests will be required.

3. Counsel is an assistant public defender in the fifth judicial circuit and manages a full-time felony case-load with the public defender.
4. Counsel is currently involved and preparing for trials that are noticed on the following dates: State v. Timothy Scott: July 23, 2018; State v. Marquille Livingston: August 6, 2018; State v. Jadon Ray: August 20, 2018; State v. Jeffrey Davis: August 27, 2018.
5. Counsel appeared and attended pre-trial motions and hearings in the matter of the State v. Marquille Livingston, on the following dates: June 7, 2018; June 14, 2018; June 28, 2018. Additionally, Counsel appeared in pre-trial motions in the matter of State v. Timothy Scott on June 26, 2018, and, in the matter of State v. Jadon Ray on June 25, 2018.
6. In addition to the above, counsel has appeared in plea proceedings on at least two different matters and has engaged in numerous client consultations.
7. Counsel makes this request in good faith and not for delay. Counsel intends to continue to prioritize this matter as much as is feasible so that the initial brief of appellant and designation of matter will be filed as soon as is practically possible.
8. Counsel has requested a twenty-eight day extension as opposed to a thirty-day extension and anticipates the filing of the initial brief of appellant and designation of matter before the expiration of the proposed deadline of August 1, 2018.
9. Counsel for the Attorney General's office consents to this request as shown by the signature below.

WHEREFORE, the undersigned counsel would respectfully request a fourth and final extension of twenty-eight days until August 1, 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,

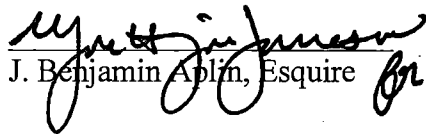


Stephen F. Krzyston  
Assistant Public Defender

Co-Counsel for Appellant

This 5<sup>th</sup> day of July 2018.

I consent:



J. Benjamin Aplin, Esquire