

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from York County

Brian M. Gibbons, Circuit Court Judge  
\_\_\_\_\_

ORIGINAL

RECEIVED

JUL 09 2018  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TONY MCKINLEY DILLARD,

APPELLANT

APPELLATE CASE NO. 2017-001895  
\_\_\_\_\_

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

Counsel for Tony McKinley Dillard respectfully requests a **final three (3) day extension, until July 12, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. 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.

2. Counsel for Tony McKinley Dillard 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 initial brief of appellant and designation of matter in the case of The State v. George Anthony Clark with this Court on July 6, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Gregory Dash with this Court on June 29, 2018. 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. Atraus Dorrell Styles with this Court

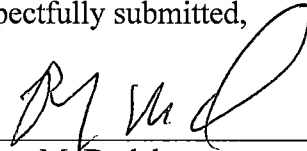
on May 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Jamal Warner with this Court on May 9, 2018. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, 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.

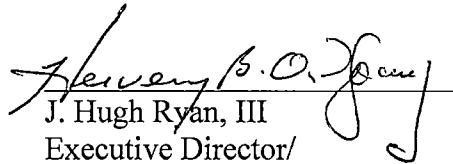
WHEREFORE, the undersigned counsel would respectfully request a **final three (3) day extension until July 12, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** 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

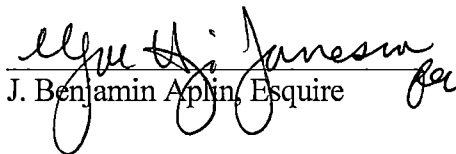
Attorney for Appellant



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 9th day of July, 2018.

I consent:



J. Benjamin Aplin, Esquire