

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Orangeburg County
Diane S. Goodstein, Circuit Court Judge

RECEIVED
AUG 08 2018
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DERRICK N. STONE,

APPELLANT

Appellate Case No. 2017-002016

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

Counsel for Derrick N. Stone respectfully requests a **final extension of thirty (30) days, until September 7, 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. 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 four previous extensions.
2. Counsel for Derrick N. Stone 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.

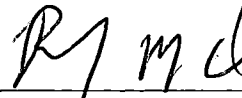
3. Counsel filed the petition for rehearing in the case of The State v. Jeffrey Andrews with this Court on August 2, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Derrick Darby v. The State with the Supreme Court on August 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ron Santa McCray v. The State with the Supreme Court on July 30, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marcus Addison v. The State with the Supreme Court on July 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Willie Smallwood with this Court on July 18, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tony McKinley Dillard with this Court on July 12, 2018. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Dalonte Green with the Supreme Court on July 10, 2018. 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 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.

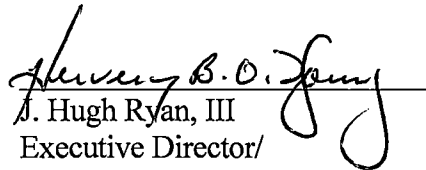
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until September 7, 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/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 8th day of August, 2018.

I consent:



Matthew Buchanan, Esquire