

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Newberry County
Eugene C. Griffith, Circuit Court Judge

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AUG 17 2018

SC Court of Appeals
RESPONDENT,

THE STATE,

v.

FRANKLIN DELL HAYES,

APPELLANT

APPELLATE CASE NO. 2017-002572

PETITION FOR EXTENSION TO FILE
THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
 2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony B. Lay v. The State with the Supreme Court on August 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Cole Brooks Gray with this Court on August 10, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Marty Baggett v. The State with the Supreme Court on August 6, 2018.
- J

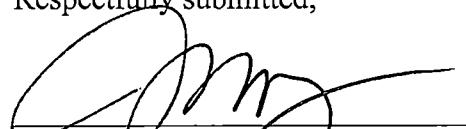
Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey Michaelson v. The State with the Supreme Court on July 30, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Steven Randall Cobb v. The State with the Supreme Court on July 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Devante Antonio Grant with this Court on July 20, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Antonio Romeo v. The State with the Supreme Court on July 18, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Eric Wright v. The State with the Supreme Court on July 2, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Chavis Aikman v. The State with the Supreme Court on June 27, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Leonard Jenkins v. The State with the Supreme Court on June 18, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Dominique Cash v. The State with the Supreme Court on June 13, 2018.

3. This request is made in good faith, and not for purposes 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.

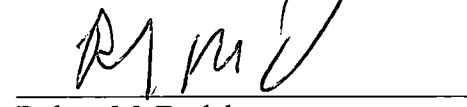
4. As indicated by the counsel below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



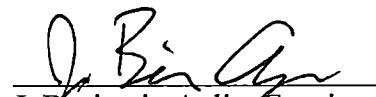
Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 17th day of August, 2018.

I do not oppose:



J. Benjamin Aplin, Esquire