

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Pickens County
Letitia H. Verdin, Circuit Court Judge

THE STATE,

v.

JOHN WILLIAM MCCARTY,

RESPONDENT,
RECEIVED

AUG 15 2018

SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2017-002377

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel filed the Return to the State's Petition for Rehearing in the case of State v. Benjamin Cervantes Hernandez in the Court of Appeals on August 8, 2018. Counsel filed the petition for rehearing in the case of State v. Benjamin Cervantes Hernandez in the Court of Appeals on August 6, 2018. Counsel filed the initial reply brief in the case of State v. Thomas

Robert Shewtzuk in the Court of Appeals on August 2, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Elijah Hudson v. State in the Supreme Court on August 1, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Norman Lance Garner in the Court of Appeals on July 30, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Rodney R. Green in the Supreme Court on July 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Philip David Guderyon in the Court of Appeals on July 18, 2018. Counsel was a guest speaker at the Blues, BBQ & Bar CLE on July 13, 2017, in Greenwood, South Carolina, sponsored by the South Carolina Association of Criminal Defense Lawyers. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kirk Willis v. State in the Supreme Court on July 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Holmes Andrew Simpson-Davis in the Court of Appeals on July 11, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tito Harris v. State in the Supreme Court on July 10, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Malcolm Antwon Orr in the Court of Appeals on July 6, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. James Wayne Miller in the Supreme Court on July 5, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Steve Young v. State in the Supreme Court on July 2, 2018. Counsel filed the petition for rehearing in the case of State v. Josie Jones in the Court of Appeals on June 28, 2018. Counsel presented at a CLE entitled “Ethical Considerations For Contract Counsel” sponsored by the South Carolina Commission on Indigent Defense in Columbia, SC, on June 22,

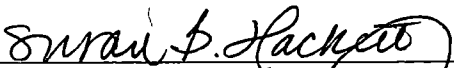
2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sydney Stclair Moorer in the Court of Appeals on June 22, 2018.

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

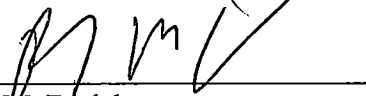
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,



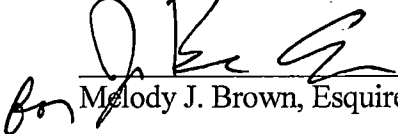
Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 15, 2018

I DO NOT OPPOSE:



Melody J. Brown, Esquire