

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County
Honorable J. Mark Hayes, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

KEVIN MCDANIELS,

APPELLANT

RECEIVED

SEP 07 2018

SC Court of Appeals

APPELLATE CASE NO. 2018-000070

PETITION FOR EXTENSION TO FILE
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 Shonathan M. Jeter v. The State with the Supreme Court on September 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Luther Brian Marcus with this Court on August 31, 2018. Counsel filed the initial brief of

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appellant and designation of matter in the case of The State v. Luther Brian Marcus (2) with this Court on August 31, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Pepper Rose Rathburn with this Court on August 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Perry Drake Gilmore, Jr., with this Court on August 20, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Darryl L. Drayton v. The State with the Supreme Court on August 17, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Darius Barnwell v. The State with the Supreme Court on August 15, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of James Whaley 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 Phillip A. Bridges 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 Alonza Dennis v. The State with the Supreme Court on July 23, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Brandon Jenkins 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. Donald Scott Robertson with this Court on July 20, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Dikeem Dargan v. State with the Supreme Court on July 13, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Derrick Eugene Velasquez v. The State with the Supreme Court on June 28, 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.

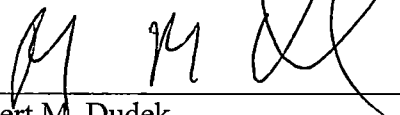
4. As indicated by the counsel below, counsel for the state graciously consents to or does not oppose this request.

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,



Victor R Seeger
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 7th day of September, 2018.

I do not oppose:



J. Benjamin Aplin, Esquire