

4th AFB due 9/17/18  
ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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RECEIVED

SEP 17 2018

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

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THE STATE,

RESPONDENT,

V.

RUSTY ANTRON JONES,

APPELLANT

APPELLATE CASE NO. 2017-002257

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

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Counsel for Rusty Antron Jones, respectfully requests a **fourth and final** thirty (30) **until October 17, 2018**, days in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Rusty Antron Jones, respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 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 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

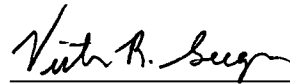
for Writ of Certiorari and accompanying appendix in the case of Dikeem Dargan v. State with the Supreme Court on July 13, 2018.

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.

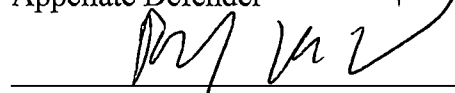
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until October 17, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

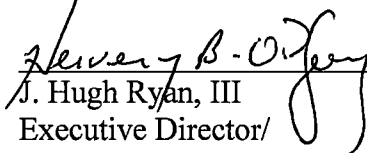
Respectfully submitted,



Victor R Seeger  
Appellate Defender



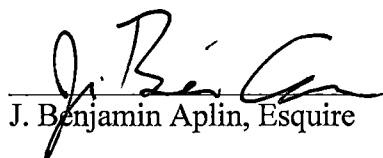
Robert M. Dudak  
Chief Appellate Defender



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 17th day of September, 2018.

I do not oppose:



J. Benjamin Aplin, Esquire