

3rd AIR due 9/26/18

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

CARLON EUGENE WEATHERS, JR.

APPELLANT

APPELLATE CASE NO. 2018-000470

RECEIVED
SEP 21 2018
SC Court of Appeals

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. This is a third request for extension in this 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 Ronald Edward Gooden v. The State with the Supreme Court on September 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Duran Watson v. The State with the Supreme Court on August 31, 2018. Counsel filed the petition

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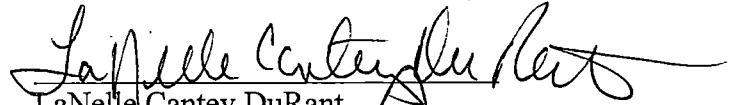
for writ of certiorari and Johnson petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Deshaun A. Drafts v. The State with the Supreme Court on August 24, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Marcus Antonio Mack with the Court of Appeals on August 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Charles P. Blackwell v. The State with the Supreme Court on August 9, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kashaun Banks v. The State with the Supreme Court on August 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Scott Mooney v. The State with the Supreme Court on August 6, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. John Anthony Duckett with the Court of Appeals on August 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Courtney Lamont Pauling 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 Marcellous R. Clark v. The State with the Supreme Court on July 27, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon Bannister v. The State with the Supreme Court on July 23, 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.

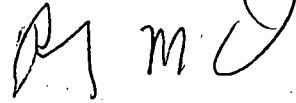
4. As indicated by the counsel below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle Cantey DuRant
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 21st day of September, 2018.

I do not oppose:


J. Benjamin Aplin, Esquire