

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Laurens County

Honorable Donald B. Hocker, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

APPELLANT,

V.

LEON LAGWAN BARKSDALE,

RESPONDENT

APPELLATE CASE NO. 2017-002306  
\_\_\_\_\_

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

Counsel for Leon LaGwan Barksdale respectfully requests a **final ten (10) day extension, until October 8, 2018**, in which to file the Initial Brief of Respondent and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of respondent and designation of matter are due to be filed with the Court today. The Court has granted counsel four previous extensions.
2. Counsel for Leon LaGwan Barksdale respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Counsel attended

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the Public Defender's Conference in Myrtle Beach and has long-standing family vacation plans immediately afterwards. The legal issues implicated by the State's brief are complex and require extensive research of federal law and other state's decisions. While counsel hoped he could finish the brief in advance, he was unable to do so, primarily because he is still working through his cases after missing a number of days during August because of the death of his stepfather. Given the 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 attended the state Public Defender Convention in Myrtle Beach, South Carolina on September 24, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keiron Coleman v. The State with the Supreme Court on September 21, 2018. Counsel had an oral argument in the case of The State v. Corey J. Williams with the Supreme Court on September 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jose Cabarruvias 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 Conrad Antonio Allen v. The State with the Supreme Court on August 31, 2018. Counsel filed the petition for rehearing in the case of The State v. Michael Juan Smith with this Court on August 30, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Joshua Flowers with this Court on August 28, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Robbie Collins with this Court on August 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Courtney Price with this Court on August 2, 2018. Counsel filed the brief of petitioner in the case of Isaac Starke v. The State with the Supreme Court on August 1, 2018. Counsel filed the initial brief of


appellant and designation of matter in the case of In the Matter of the Care and Treatment of Gary Lee Burris with this Court on July 31, 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.

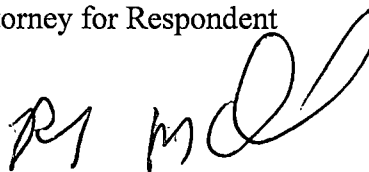
5. Counsel for the Attorney General's office consents to this request shown by signature below.

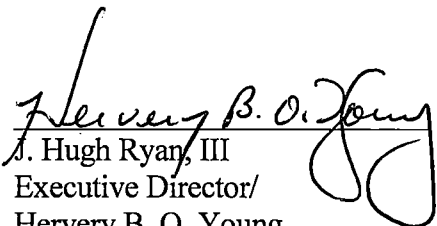
WHEREFORE, the undersigned counsel would respectfully request a **final ten (10) day extension until October 8, 2018**, in which to file the initial brief of respondent and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
for David Alexander  
Appellate Defender

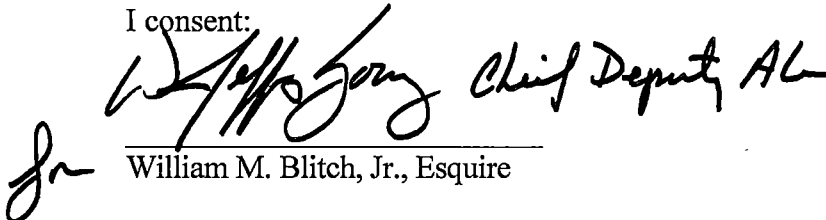
Attorney for Respondent

  
Robert M. Dudek  
Chief Appellate Defender

  
J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 28th day of September, 2018.

I consent:

  
for William M. Blich, Jr., Esquire  
Chief Deputy AL