

3rd AFB due 10/10/18

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OCT 10 2018

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Brooks P. Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

VAR SHEEN ANTUAN SMITH,

APPELLANT

Appellate Case No. 2018-000373

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 has an oral argument in the case of The State v. Joseph Bowers with this Court today, October 10, 2018. Counsel has an oral argument in the case of The State v. Teresa Ann McCracken-Hall with this Court today, October 10, 2018. Counsel had an oral argument in the case of The State v. Ahshaad Owens with this Court on October 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Hakeem Edwin with this

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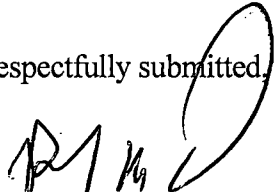
Court on October 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Quashon Middleton v. The State with the Supreme Court on October 4, 2018. Counsel attended and presented on case law update at the Public Defender Convention in Myrtle Beach, South Carolina from September 24-26, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Michael Jackson with this Court on September 19, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Derrick Stone with this Court on September 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Ziegler v. The State with the Supreme Court on August 30, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Perry 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. Larry Cornish with this Court on August 23, 2018. Counsel filed the return to petition for rehearing in the case of The State v. Jeffrey Andrews with this Court on August 17, 2018. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders.**

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.

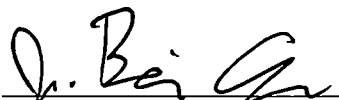
Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

October 10, 2018

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire