

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Beaufort County  
Carmen T. Mullen, Circuit Court Judge

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IN THE MATTER OF THE CARE AND  
TREATMENT OF ROBERT POWELL,

ORIGINAL  
RECEIVED  
OCT 22 2018  
SC Court of Appeals  
APPELLANT

APPELLATE CASE NO. 2018-000426

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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 Robert Powell, respectfully requests a **fourth and final** thirty (30) **until November 21, 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 Robert Powell, respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of

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extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Franklin Dell Hayes with this Court on October 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Alqi Dhimo with this Court on October 5, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Terrence J. Goss v. The State with the Supreme Court on October 3, 2018. On September 24 – 26, 2018, counsel attended the Public Defender Convention in Myrtle Beach, South Carolina. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Johnny Lee Paden v. The State with this Court on September 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wilton Q. Greene v. The State with the Supreme Court on August 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Christopher Hart 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. Randy Wright with this Court on August 22, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony B. Lay v. The State with the Supreme Court on August 15, 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.

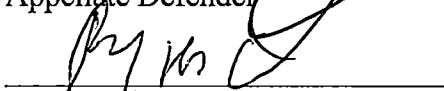
5. Counsel for the Attorney General's office consents to this request shown by signature below.

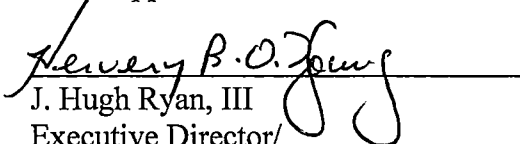
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **November 21, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case based upon the above exigent circumstances.

This 22<sup>nd</sup> day of October, 2018.

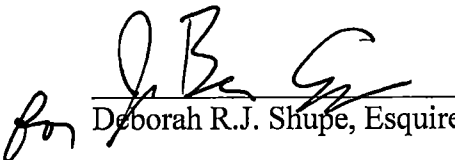
Respectfully submitted,

  
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Joanna K. Delany  
Appellate Defender

  
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Robert M. Dudek  
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

I do not oppose:

  
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Deborah R.J. Shupe, Esquire