

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

4th AFB due 11/5/18

Appeal from Union County

Honorable Lee S. Alford, Circuit Court Judge

ORIGINAL

THE STATE,

v.

TYRONE DEANGELO FLEMING,

RESPONDENT

RECEIVED
NOV 05 2018
SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2018-000727

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

Counsel for Terry Lashawn Hooper respectfully requests an extension of a **final thirty (30) days, until December 5, 2018**, in which to file the Initial Brief of Appellant 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. 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 are due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Tyrone Deangelo Fleming 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 her caseload, counsel hopes that no further extension requests will be required.

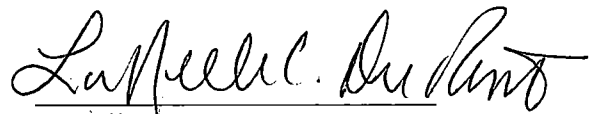
3. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Jacob Eder in the Court of Appeals on October 23, 2018. Counsel had an oral argument in the case of The State v. Daniel Martinez Herrera before the Supreme Court on October 17, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Muttaqin Fatir Abdullah with the Court of Appeals on October 5, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Forrest Nelson, Jr. v. The State with the Supreme Court on September 28, 2018. Counsel filed the Anders brief of appellant pursuant to White v. State in the case of Cary Glenn Ryals v. State with the Supreme Court on September 24, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix and supplemental appendix in the case of Cary Glenn Ryals v. State with the Supreme Court on September 24, 2018. 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.

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.

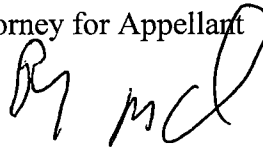
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until December 5, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

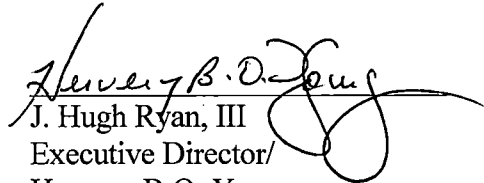


LaNelle C. DuRant
Appellate Defender

Attorney for Appellant




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

This 5th day of November, 2018.

I consent:



J. Benjamin Aplin, Esquire