

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

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

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

APPELLANT

RECEIVED

NOV 21 2018

APPELLATE CASE NO. 2018-00042

SC Court of Appeals

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

Counsel for Robert Powell respectfully requests a **fifth and final three (3) day extension, until November 28, 2018**, 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. 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 four 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

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. Terrance L. Bland with this Court on November 16, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of Zahi H., a Juvenile Under the Age of Seventeen with this Court on November 16, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Bradley Gerald Mullins v. The State with the Supreme Court on November 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Greene, III with this Court on October 30, 2018. 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 the Court of Appeals 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.

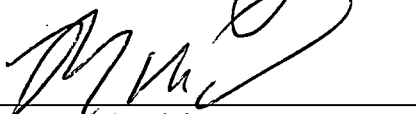
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fifth and final three (3) day extension until November 28, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel 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.

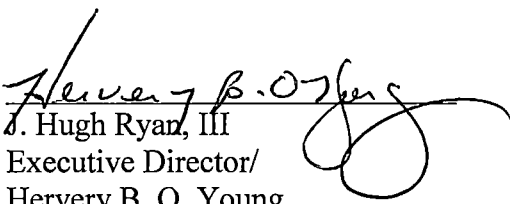
Respectfully submitted,



Joanna K. Delany
Appellate Defender



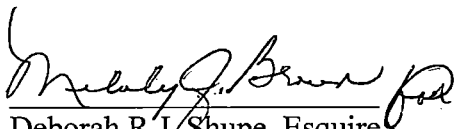
Robert M. Dudek
Chief Appellate Defender



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 21st day of November, 2018.

I do not oppose:



Deborah R.J. Shupe, Esquire