

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County

Honorable J.C. Buddy Nicholson, Circuit Court Judge

RECEIVED

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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HENRY JAMES FICKLING, JR.,

APPELLANT

APPELLATE CASE NO. 2018-000515

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

Counsel for Henry James Fickling, Jr., respectfully requests a **final twenty (20) day extension, until December 20, 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. 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 four previous extensions.
2. Counsel for Henry James Fickling, Jr., respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. The transcript in this case is approximately 624 pages and contains approximately seventeen video exhibits that are

pertinent to the case. **Counsel has discussed this extraordinary extension request with the Chief Appellate Defender, and it is unfortunately absolutely necessary.** 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.

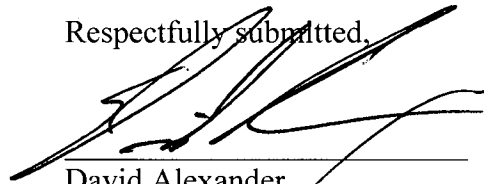
3. Counsel is preparing for an upcoming oral argument in the case of The State v. Aaron Van Hendrix scheduled to be **heard on Monday, December 3, 2018**, before this Court. Counsel is also preparing for an oral argument in the case of The State v. Maurice Harris scheduled to be **heard on December 5, 2018, before this Court.** Today, **November 30, 2018, Counsel is participating in an Appellate Practice Project CLE at the Bar Conference Center in Columbia.** Counsel was subpoenaed in the case of Tamar Bryant v. The State and had to prepare for PCR testimony scheduled for November 29, 2018; that was continued. Counsel had an oral argument in the case of In The Matter of the Care and Treatment of Daryl T. Snow before the Supreme Court on November 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Adams with this Court on November 26, 2018. Counsel filed the brief of appellant in the case of The State v. Jamal Marquis Daniels with this Court on November 19, 2018. Counsel filed the initial brief of petitioner in the case of The State v. Gerald Williams with the Supreme Court on November 16, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Derrick Porter with this Court on November 14, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Chadwick Cribb v. The State with the Supreme Court on November 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Quadrik Willis with this Court on November 7, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Wilson 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. Tyrone Robinson with this Court on November 2, 2018. Counsel filed the brief of petitioner in the case of Antrell Rashawn Felder v. The State with the Supreme Court on October 24, 2018. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Bruce Stanley Jones with this Court on October 19, 2018. Counsel had an oral argument in the case of The State v. Jimmy Turner before the Supreme Court on October 17, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kenneth Collins with this Court on October 9, 2018. Counsel had an oral argument in the case of The State v. Robin Herndon 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. Leon Barksdale with this Court on October 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis Napoleon Davis v. The State with the Supreme Court on October 8, 2018.

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

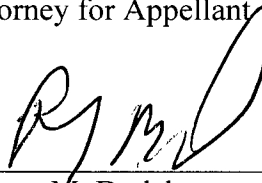
WHEREFORE, the undersigned counsel would respectfully request a **final twenty (20) day extension until December 20, 2018**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel will file it before that date is possible. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

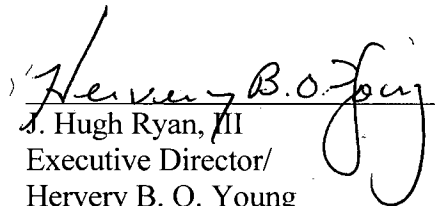


David Alexander  
Appellate Defender

Attorney for Appellant



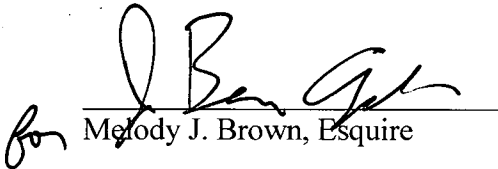
Robert M. Dudek  
Chief Appellate Defender



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 30th day of November, 2018.

I consent:



Melody J. Brown, Esquire