

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

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

THE STATE,

RESPONDENT,

v.

CASEY K. JONES, JR.,

APPELLANT

RECEIVED
JAN 02 2019
SC Court of Appeals

APPELLATE CASE NO. 2017-002307

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

Counsel for Casey K. Jones, Jr. respectfully requests a **final thirteen (13) day extension, until January 15, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter earlier if possible.** 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 Casey K. Jones, Jr. respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **The transcript in this murder case is over 700 pages. Today, counsel is filing the brief of appellant in an**

attempted murder case, State v. Ty'Shun Bessellieu and two days ago, on New Year's Eve, filed the brief of respondent in Eugene Gardner v. State in the Supreme Court, which is a case that was reassigned to counsel after the recent departure of an appellate defender. In the last thirty days, which included the Christmas and New Year's holidays, counsel filed nine briefs and petitions and had two oral arguments. His caseload is higher than normal because of the departure of two appellate defenders and the reassignment of their cases. 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 filing the initial brief of appellant and designation of matter in the case of The State v. Tyshun Bessellieu with this Court today, January 2, 2019. Counsel filed the brief of respondent in the case of Eugene Austin Gardner, III v. The State with the Supreme Court on December 31, 2018. Counsel filed the petition for rehearing in the case of The State v. Robin Herndon with this Court on December 21, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Henry James Fickling, Jr. with this Court on December 18, 2018. Counsel filed the petition for writ of certiorari in the case of The State v. Terrance Johnson with the Supreme Court on December 18, 2018. Counsel filed the brief of respondent in the case of The State v. Vladimir Pantovich with the Supreme Court on December 17, 2018. Counsel filed the petition for writ of certiorari in the case of The State v. Michael Juan Smith with the Supreme Court on December 10, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Jimmy Ray Filyaw with the Court of Appels on December 10, 2018. Counsel had an oral argument in the case of The

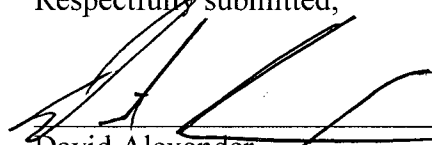
State v. Maurice Marshall Harris before this Court on December 5, 2018. Counsel had an oral argument in the case of The State v. Aaron Van Hendrix before this Court on December 3, 2018. Counsel had an oral argument in the case of The State v. Maurice Harris before this Court on December 5, 2018. On November 30, 2018, Counsel participated in an Appellate Practice Project CLE at the Bar Conference Center in Columbia. 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.

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.

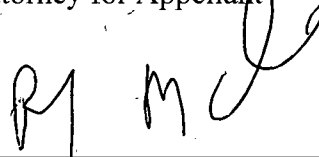
WHEREFORE, the undersigned counsel would respectfully request a **final thirteen (13) day extension until January 15, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing 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/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 2nd day of January, 2019.

I consent:



Melody J. Brown, Esquire