

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County

Honorable Larry B. Hyman, Circuit Court Judge

THE STATE,

RESPONDENT
RECEIVED
JAN 02 2019
SC Court of Appeals
APPELLANT

v.

SCOTT RICHARD ROWAN,

APPELLATE CASE NO. 2018-000813

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

Counsel for Scott Richard Rowan respectfully requests a **fourth and final** extension of thirty (30) days **until February 1, 2019**, days 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 three previous extensions.
2. Counsel for Scott Richard Rowan 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 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 the Court of Appeals 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 Appeals 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

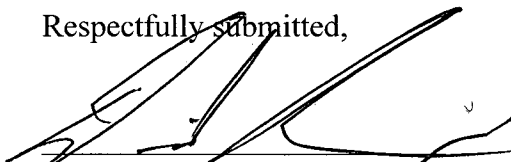
the case of The State v. Jamal Marquis Daniels with this Court on November 19, 2018. Counsel filed the initial brief of petitioner in the case of The State v. Gerald Williams with the Supreme Court on November 16, 2018. Counsel filed the initial brief of appellant and designation of matter in the case 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.

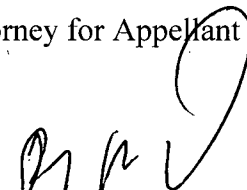
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **February 1, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

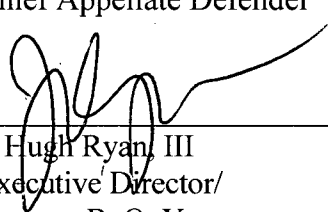


David Alexander
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervy 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:



J. Benjamin Aplin, Esquire