

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Robin B. Stilwell, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

v.

BOBBY LEON SMITH,

APPELLANT

RECEIVED
JAN 02 2019
SC Court of Appeals

APPELLATE CASE NO. 2018-000541

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.

2. On December 21, 2018, counsel filed the initial brief of appellant and designation of Matter in The State v. Darius Walker with the Court of Appeals. On December 11, 2018, counsel filed a petition for writ of certiorari and accompanying appendix in David Aldean Dickerson v. The State with the Supreme Court. On December 6, 2018, counsel filed a petition for writ of certiorari and accompanying appendix in Dominque Agurs v. The State with the

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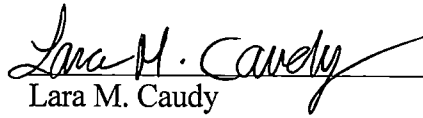
Supreme Court. On November 30, 2018, counsel was a guest speaker during the breakout session at the Presenting Cases to the Appellate Courts continuing legal education seminar. On November 26, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Leon Simmons v. The State with the Supreme Court. On November 16, 2018, counsel filed the petition for writ of certiorari and accompany appendix in Gene Tony Cooper v. The State with the Supreme Court. On November 2, 2018, counsel filed the brief of petitioner in Timothy Allen Lemacks v. The State with the Court of Appeals. On October 31, 2018, counsel filed the Anders brief of appellant and record on appeal in The State v. Tony Nevail Myers with the Court of Appeals. On October 9, 2018, counsel had an oral argument in The State v. Felix Kotowski before the Court of Appeals. On October 4, 2018, counsel filed the initial brief of appellant and designation of Matter in The State v. Colette Adriane Collins with the Court of Appeals. On October 1, 2018, counsel testified by telephone in the post-conviction relief case of Jonathan Brown v. The State before the circuit court. From September 24, 2018 through September 26, 2018, counsel attended the annual Public Defender Conference in Myrtle Beach. On September 21, 2018, counsel filed the initial brief of appellant and designation of matter in The State v. Theodore Glover with the Court of Appeals. On September 17, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Jerell Jackson v. The State with the Supreme Court. On August 30, 2018, counsel filed the petition for writ of certiorari and accompanying Appendix in Roderick Germaine Wynn v. The State with the Supreme Court.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

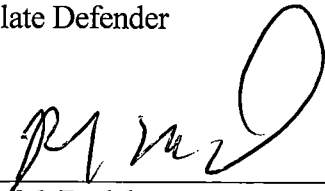
4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully 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,



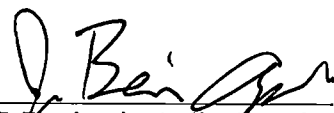
Lara M. Caudy
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 2, 2019

I do not oppose:



J. Benjamin Aplin, Esquire