

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lancaster County
Steven H. John, Circuit Court Judge

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SC Court of Appeals

THE STATE,

RESPONDENT,

v.

DAVID MATTHEW CARTER,

APPELLANT

Appellate Case No. 2018-001032

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. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Varsheen Smith with this Court on January 30, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stephen Wilhite v. The State with the Supreme Court on January 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wayne Hankinson with this Court on January 25, 2019. Counsel filed the brief of petitioner in the case of Raphael Alexander Wooden v. The State with the Supreme

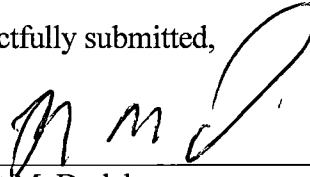
Court on January 18, 2019. Counsel filed the brief of appellant in the case of The State v. Arsenio D. Colclough with this Court on January 14, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Zeigler v. The State with the Supreme Court on January 11, 2019. Counsel had an oral argument in the case of The State v. Devarous Parks before the Supreme Court on January 10, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jed D. Wheeler v. The State with the Supreme Court on January 9, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Stewart Middleton with this Court on January 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jonathan A. Finney v. The State with the Supreme Court on January 4, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Daniel Jenkins v. The State with the Supreme Court on December 17, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Timiya Massey with this Court on December 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jammie Wilson with this Court on December 7, 2018. Counsel had an oral argument in the case of The State v. Edward Primo Bonilla before this Court on December 5, 2018. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training three less experienced appellate defenders and reviewing all their filings in advance.**

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 the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by the counsel 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,



Robert M. Dudek
Chief Appellate Defender

February 1, 2019

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire