

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Fairfield County  
Thomas A. Russo, Circuit Court Judge

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ORIGINAL

THE STATE,

RESPONDENT,

V.

DAVID ALLEN TINDAL,

APPELLANT

APPELLATE CASE NO. 2018-001213

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

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RECEIVED  
FEB 19 2019  
SC Court of Appeals

Counsel for David Allen Tindal respectfully requests a **fourth and final** extension of thirty days **until March 21, 2019**, 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. This is a fourth request for an extension. 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 David Allen Tindal respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

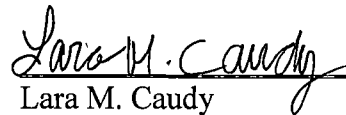
3. On February 19, 2019, counsel will file the supplemental brief of appellant in The State v. Jonathan Donell Rhodes with the Court of Appeals. On February 13, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Furman E. Taylor v. The State with the Supreme Court. On February 8, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Oriental J. Charley v. The State with the Supreme Court. On January 31, 2019, counsel had an oral argument in State v. Wayland Purnell before the Supreme Court. On January 24, 2019, counsel filed a petition for writ of certiorari, brief of appellant pursuant to White v. State, and accompanying appendix in Antonio Ochoa-Tavera v. The State with the Supreme Court. On January 14, 2019, counsel filed the initial brief of appellant and designation of Matter in The State v. Montrelle Lamont Campbell with the Court of Appeals. 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.

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 her 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.

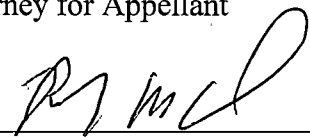
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty day extension** until **March 21, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

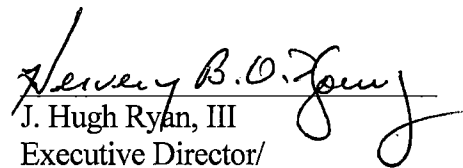
  
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Lara M. Caudy

Appellate Defender

Attorney for Appellant

  
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Robert M. Dudek

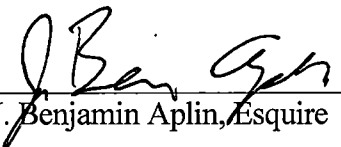
Chief Appellate Defender

  
\_\_\_\_\_  
J. Hugh Ryan, III

Executive Director/  
Hervery B.O. Young  
General Counsel

This 19th day of February, 2019.

I consent:

  
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J. Benjamin Aplin, Esquire