

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County

Benjamin Culbertson, Circuit Court Judge

RECEIVED

MAR 11 2019

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

RICKEY WADDELL WILSON,

APPELLANT

Appellate Case No. 2018-000146

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

Counsel for Rickey Waddell Wilson respectfully requests a **final thirty (30) day extension until April 10, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in this case *based on the exigency of a medical condition that required immediate and continuing attention*. **Counsel will file the Initial Brief of Appellant and Designation of Matter early if at all 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.

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2. Counsel for Rickey Waddell Wilson respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. It was confirmed that counsel *had Shingles at a doctor's appointment on Monday afternoon, April 4, 2019 following his oral argument before this Court in State v. Cohen. This medical condition is being treated with medication, but it has other adverse medical effects also, and the duration of the medical condition is uncertain. Given this medical condition, Shingles, counsel unfortunately and regretfully must request a final thirty day extension until April 10, 2019, to file the brief and designation of matter. Counsel has been working on the case and will file the brief early if at all possible.*

3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Reginald Hamilton with this Court on March 4, 2019. Counsel had an oral argument in the case of The State v. Tekysha Cohen before this Court on March 4, 2019. Counsel has continued interviewing and vetting candidates for the remaining open Appellate Defender position. In addition, Counsel presented at the Public Defender Investigator Association Convention on February 28, 2019, in Myrtle Beach, South Carolina. Counsel presented at the "Year End" CLE in Greenville, South Carolina on February 8, 2019. Counsel was also part of Justice Few panel discussion on the Case Law Update at the Criminal Law CLE on February 22, 2019. Counsel filed the petition for rehearing in the case of The State v. Ahshaad Owens with this Court on February 7, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nick Evangelista with this Court on February 6, 2019. 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

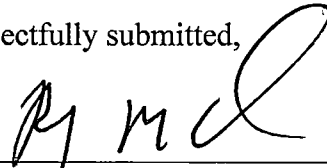
Court on January 25, 2019. Counsel filed the brief of petitioner in the case of Raphael Alexander Wooden v. The State with the Supreme Court on January 18, 2019. Counsel filed the brief of appellant in the case of The State v. Arsenio D. Colclough with this Court on January 14, 2019. Counsel filed the 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 has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight; training two less experienced appellate defenders and reviewing all their filings in advance, and interviewing.**

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.

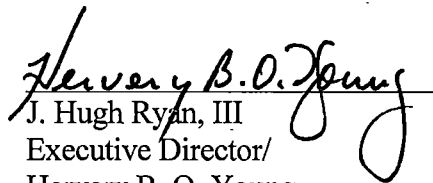
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would regretfully and respectfully request a **final thirty (30) day extension until April 10, 2019, based on exigent medical reasons** which required immediate and continued attention in which to file the initial brief of appellant and designation of matter in this case. **Counsel will attempt to file the initial brief and designation of matter before this deadline if possible. If this Court is not convinced that the entire thirty days is necessary, counsel would respectfully request that this Court grant such time as it is willing to grant under these circumstances.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



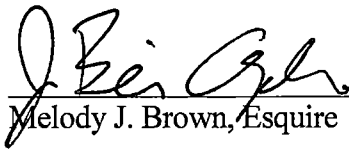
Robert M. Dudek  
Chief Appellate Defender



J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 11th day of March, 2019.

I consent:

  
for Melody J. Brown, Esquire