

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable Eugene C. Griffith, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

v.

DONNELL LAKEITH DAVIS,

APPELLANT

RECEIVED  
MAR 18 2019  
SC Court of Appeals

APPELLATE CASE NO. 2018-000858

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

Counsel for Donnell Lakeith Davis respectfully requests an extension of a **final thirty (30) days, until April 17, 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 Donnell Lakeith Davis 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.

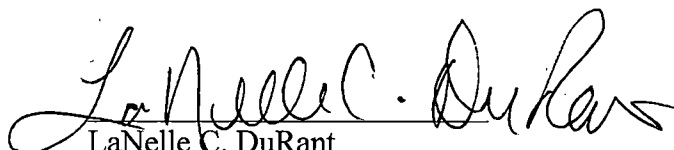
3. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Willie Byrd v. State in the Supreme Court on March 5, 2019. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Bryan Holder v. State in the Supreme Court on March 1, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Bill Breeland v. State in the Supreme Court on February 19, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Wilson Woods v. State in the Supreme Court on February 19, 2019. Counsel filed the return to petition for writ of certiorari in the case of Dale Gould v. State in the Supreme Court on February 13, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Felix Bowen Price in the Court of Appeals on February 6, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Edward Anthony v. State in the Supreme Court on February 1, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Clyde D. Singletary in the Court of Appeals on February 1, 2019. On January 30, 2019; Counsel had an oral argument in State v. Eric T. Spears before the Supreme Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Burton Beekman v. State in the Supreme Court on January 28, 2019.

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.

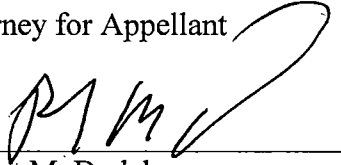
5. Counsel for the Attorney General's office consents to this request shown by signature below.

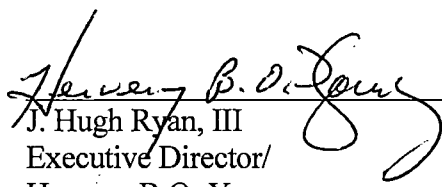
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until April 17, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
LaNelle C. DuRant  
Appellate Defender

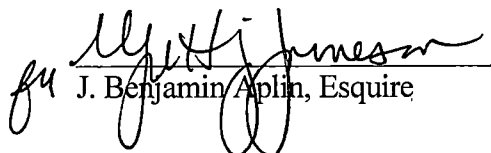
Attorney for Appellant

  
Robert M. Dudek  
Chief Appellate Defender

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

This 18th day of March, 2019.

I consent:

  
J. Benjamin Aplin, Esquire