

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**ORIGINAL**

Appeal from Pickens County  
Brian M. Gibbons, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

JIMMY BYRON KEITH CURLES,

APPELLANT

**RECEIVED**

APPELLATE CASE NO. 2016-002229

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MAR 18 2019

SC Court of Appeals

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

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Counsel for Jimmy Byron Keith Curles, respectfully requests a **fourth and final** thirty (30) **until April 17, 2019**, days in which to file the initial brief of appellant and designation of matter in the above-referenced 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 in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Jimmy Byron Keith Curles, respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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.

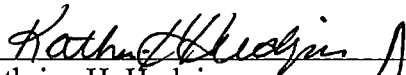
3. Counsel had an oral argument in the case of The State of South Carolina v. Dean Alton Holcomb before the Court of Appeals on March 14, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adonis Williams v. The State of South Carolina with the Supreme Court on March 11, 2019. Counsel filed the brief of appellant pursuant to White v. State in the case of Adonis Williams v. The State of South Carolina with the Supreme Court on March 11, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. William Tiay Chandler with the Court of Appeals on March 5, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Jahru Harold Smith with the Court of Appeals on February 28, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wayne Michael Smith v. The State of South Carolina with the Supreme Court on February 19, 2019. Counsel had an oral argument in the case of The State of South Carolina v. Julius Rooks-McBean before the Court of Appeals on February 5, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert J. Phipps v. The State of South Carolina with the Supreme Court on January 29, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leviticus Donyaski Young v. The State of South Carolina with the Supreme Court on January 25, 2019. Counsel filed the petition for rehearing in the case of The State of South Carolina v. James Bubba Patterson with the Court of Appeals on January 18, 2019. Counsel filed the petition for writ of certiorari in the case of Dyeshawn Foster v. The State of South Carolina with the Court of Appeals on January 18, 2019.

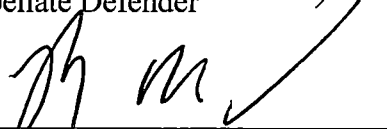
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

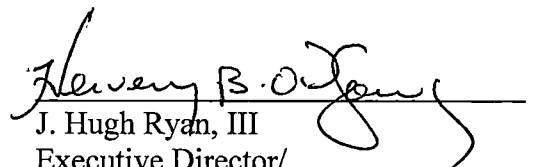
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **April 17, 2019**, in which to file the brief in this case based upon the above exigent circumstances.

Respectfully submitted,

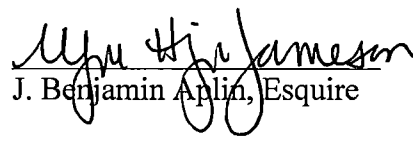
  
Kathrine H. Hudgins  
Appellate Defender

  
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 18<sup>th</sup> day of March, 2019.

I do not oppose:

  
for J. Benjamin Aplin, Esquire