

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County

George M. McFaddin, Jr., Circuit Court Judge

RECEIVED

APR 03 2019

THE STATE,

RESPONDENT, SC Court of Appeals

V.

MIKEL TERRELL FRANCIS,

APPELLANT

Appellate Case No. 2018-001415

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

Counsel for Mikel Terrell Francis respectfully requests an extension of **thirty (30) days, until May 3, 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. 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 Mikel Terrell Francis 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 his caseload, counsel hopes that no further extension requests will be required.

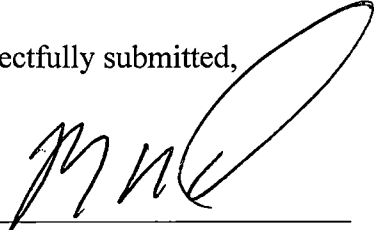
3. Counsel had an oral argument in the case of The State v. Robert I. Graham before this Court on April 2, 2019. Counsel had an oral argument in the case of The State v. Cory Nettles Allen before this Court on April 1, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antwon Baker v. The State with the Supreme Court on March 26, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Aneisha Young with this Court on March 22, 2019. 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 presented at the “Year End” CLE in Greenville, South Carolina on February 8, 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 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.**

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.

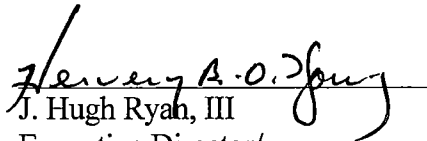
5. Counsel for the state, Matthew Buchanan, graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **thirty (30) day extension, until May 3, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent 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/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 3rd day of April, 2019.