

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County

Larry B. Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

RECEIVED

BRANDON DEAN CHILDERS,

APR 03 2019

SC Court of Appeals  
APPELLANT

Appellate Case No. 2018-000986

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

Counsel for Brandon Dean Childers respectfully requests a **final 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 four previous extensions.
2. Counsel for Brandon Dean Childers 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 Tuesday, April 2, 2019. Counsel had an oral argument in the case of The State v. Cory Nettles Allen before this Court on Monday, April 1, 2019. Counsel must attend a PCR hearing in State v. August Kreis on Friday, April 5, 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 had the Shingles for the last five weeks and although he did not miss work time because of that illness it did slow productivity. Counsel also 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.**

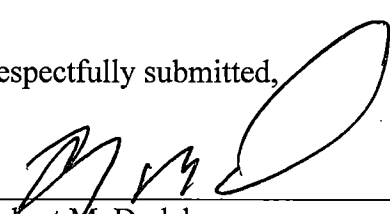
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

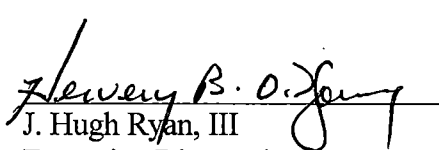
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until May 3, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

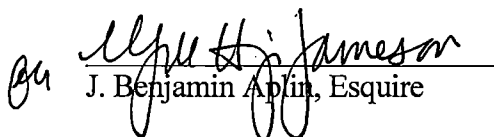


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J. Hugh Ryan, III  
Executive Director/  
Hervery B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training  
Director

This 3rd day of April, 2019.

I consent:



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J. Benjamin Applin, Esquire