

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Aiken County

Honorable Doyet A. Early, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

RASHAWN VERTEZ CARTER,

RECEIVED

APR 03 2019

APPELLANT

SC Court of Appeals

APPELLATE CASE NO. 2018-000358

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

Counsel for Rashawn Vertez Carter respectfully requests a **final twenty (20) day extension, until April 23, 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. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible, hopefully as soon as next week.** 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.

2. Counsel for Rashawn Vertez Carter 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. Counsel is still working through a backlog of his cases caused by the combination of illness, surgery, and extended recovery and an increased caseload because of the departure of multiple appellate defenders. Counsel had three oral arguments in the last week, including two at the Supreme Court and is subpoenaed by the Attorney General to testify today in a PCR case in Lexington County.**

3. Counsel had an oral argument in the case of The State v. Darrell Ervin Raines, Jr. before this Court on April 2, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Thomas Smith with this Court on April 1, 2019. Counsel had an oral argument in the case of Vladimir W. Pantovich v. The State before the Supreme Court on March 27, 2019. Counsel had an oral argument in the case of The State v. Gerald R. Williams before the Supreme Court on March 26, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Robin Renee Herndon with the Supreme Court on March 21, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Demarco Johnson with this Court on March 19, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael P. Cornelius v. The State 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 v. Scott Rowan with this Court on March 4, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Johnny James Cook with this Court on February 26, 2019. Counsel filed the initial

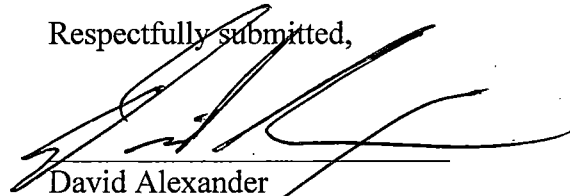
brief of appellant and designation of matter in the case of The State v. Casey Jones, Jr. with this Court on February 19, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gabriel Gratto v. The State with the Supreme Court on February 14, 2019.

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.

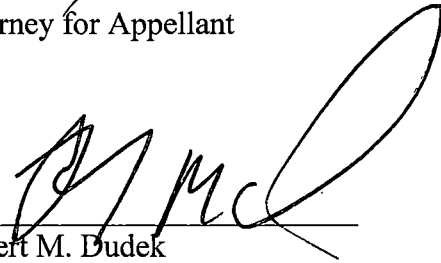
WHEREFORE, the undersigned counsel would respectfully request a **final twenty (20) day extension until April 23, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the Initial Brief of Appellant and Designation of Matter in this before the deadline if possible, hopefully as early as next week.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

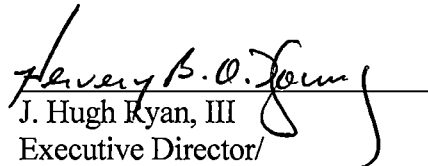


David Alexander
Appellate Defender

Attorney for Appellant



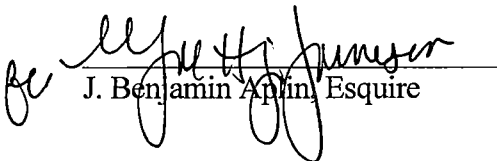
Robert M. Dudek
Chief Appellate Defender



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 3rd day of April, 2019.

I consent:



J. Benjamin Apkin, Esquire