

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Darlington County  
Paul M. Burch, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

V.

ROBERT GAINEY,

APPELLANT

APPELLATE CASE NO. 2018-001396

RECEIVED

APR 05 2019

SC Court of Appeals

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the initial brief of appellant and designation of matter in the above referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.

2. On April 2, 2019, counsel had an oral argument in The State v. Anthony M. Enriquez before the Court of Appeals. On March 27, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Michael A. Manigan v. The State with the Supreme Court. On March 22, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Stanley Anthony Dimitroff, II with the Court of Appeals. On March 20, 2019,

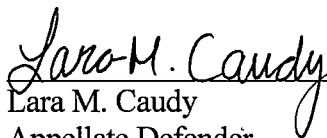
counsel filed the initial brief of appellant and designation of matter in The State v. David Allen Tindal, Jr. with the Court of Appeals. On March 13, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Dominic Leggette v. The State with the Supreme Court. On March 8, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Reginald Rodezere Scurry with the Court of Appeals. On March 6, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Derrick Jermaine Ancrum with the Court of Appeals. On February 28, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Bobby Leon Smith with the Court of Appeals. On February 19, 2019, counsel filed the supplemental brief of appellant in The State v. Jonathan Donell Rhodes with the Court of Appeals. On February 13, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Furman E. Taylor v. The State with the Supreme Court. On February 8, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Oriental J. Charley v. The State with the Supreme Court. On January 31, 2019, counsel had an oral argument in State v. Wayland Purnell before the Supreme Court. On January 24, 2019, counsel filed a petition for writ of certiorari, brief of appellant pursuant to White v. State, and accompanying appendix in Antonio Ochoa-Tavera v. The State with the Supreme Court.

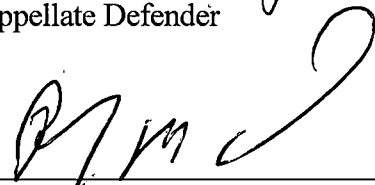
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by the consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

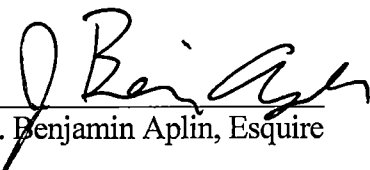
Respectfully submitted,

  
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Lara M. Caudy  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

April 5, 2019

I do not oppose:

  
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J. Benjamin Aplin, Esquire