

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Horry County

RECEIVED

Robert E. Hood, Circuit Court Judge

APR 08 2019

THE STATE,

SC Court of Appeals

RESPONDENT,

V.

JAMES ELBERT DANIELS, JR.,

APPELLANT

APPELLATE CASE NO. 2018-001630

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel appeared in Sumter County on April 3, 2019, to represent Michael Spann at a guilty plea proceeding. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Jason A. West v. State in the Supreme Court on March 28, 2019. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the

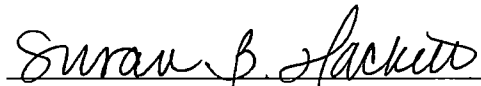
case of John Cleveland Jr. v. State in the Supreme Court on March 27, 2019. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Carmine James Miranda, III in the Supreme Court on March 22, 2019. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Marcus Channing Johnson in the Supreme Court on March 21, 2019. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Dominic A. Gallman v. State in the Supreme Court on March 19, 2019. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Nathaniel Bradley v. State in the Supreme Court on March 12, 2019. Counsel filed a petition for rehearing in the case of State v. Melvin Durant in this Court on March 7, 2019. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Jamal Hakeem v. State in the Supreme Court on March 5, 2019. Counsel filed the brief of petitioner in the case of Lucius Simuel v. State in this Court on March 4, 2019. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Jamie A. Makupson v. State in the Supreme Court on February 27, 2019. Counsel had an oral argument in the case of State v. Shane Adam Burdette with the Supreme Court on February 21, 2019. Counsel filed a petition for a writ of habeas corpus in the original jurisdiction of the Supreme Court in the case of Kinjta Kadeem Sadler v. State on February 19, 2019. Counsel filed the brief of respondent in the case of State v. Steven Otts in this Court on February 15, 2019. Counsel had an oral argument in the case of State v. Rickey Santoine Henley with this Court on February 12, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gregory Sanders in this Court on February 11, 2019.

3. This request is made in good faith, and not for purposes of delay.

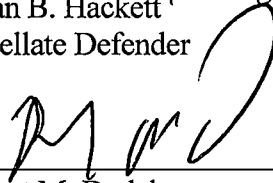
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,



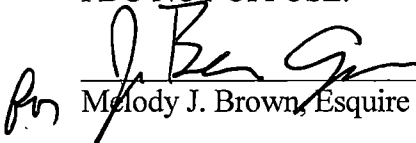
Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

April 8, 2019

I DO NOT OPPOSE:



Melody J. Brown, Esquire