

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Jasper County

Carmen T. Mullen, Circuit Court Judge

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APR 12 2019

SC Court of Appeals
RESPONSE UNIT

THE STATE,

v.

RICHARD PASSIO, JR.,

APPELLANT

Appellate Case No. 2018-001488

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. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Samuel Gonzalez with this Court on April 8, 2019. 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

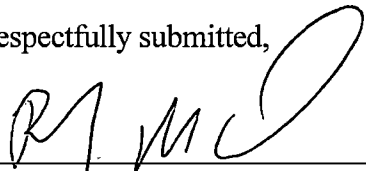
and designation of matter in the case of The State v. Aneisha Young with this Court on March 22, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Reginald Hamilton with this Court on March 4, 2019. Counsel had an oral argument in the case of The 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 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.**

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

4. As indicated by the counsel 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.

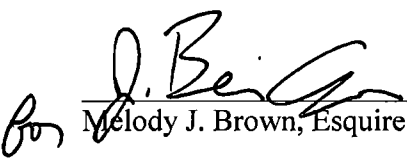
Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

This 12th day of April, 2019

I DO NOT OPPOSE:



Melody J. Brown, Esquire