

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Sumter County
George M. McFaddin, Jr., Circuit Court Judge

RECEIVED
MAY 03 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MIKEL TERRELL FRANCIS,

APPELLANT

Appellate Case No. 2018-001415

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

Counsel for Mikel Terrell Francis respectfully requests a **final extension of thirty (30) days, until June 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 Mikel Terrell Francis 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 is filing the initial brief of appellant and designation of matter in the case of The State v. Brandon Childers with this Court today, May 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ricky Anthony Short with this Court on April 26, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Randall Clark with this Court on April 16, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rickey Wilson with this Court on April 10, 2019. 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 has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training four less experienced appellate defenders and reviewing all their filings in advance.**

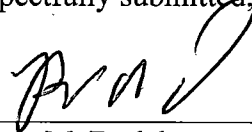
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

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

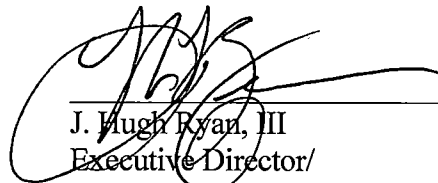
5. Matthew Buchanan from the Department of Probation, Parole, and Pardon Services consents to this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until June 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,



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 May, 2019.