

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
John C. Hayes, Circuit Court Judge

ORIGINAL

THE STATE,

v.

JARNELLE LADARIUS ERVIN,

RECEIVED
RESPONDENT
MAY 13 2019
SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2018-000973

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

Counsel for Jarnelle Ladarius Ervin, respectfully requests a **fourth and final** thirty (30) **until June 12, 2019**, days in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions./
2. Counsel for Jarnelle Ladarius Ervin, 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel had oral argument before the Supreme Court in the case of The State v. Jo Pradubsri on May 8, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Arthur James, III, with this Court on April 29, 2019. Counsel had oral argument in the case of The State v. Shawn Allen Mitchell before this Court on April 2, 2019. Counsel had oral argument before the Supreme Court in the case of The State v. Demario M. Thompson on March 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyreece Raheam Stokes with this Court on March 21, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Derrick L. Walker v. The State with the Supreme Court on March 11, 2019. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of James Brown, Jr. v. The State with the Supreme Court on March 6, 2019.

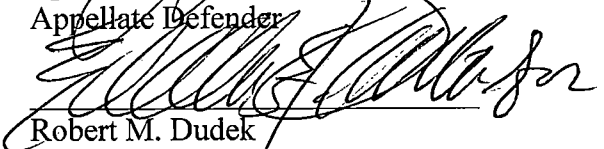
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until Initial Brief of Appellant and Designation of Matter, 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 the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

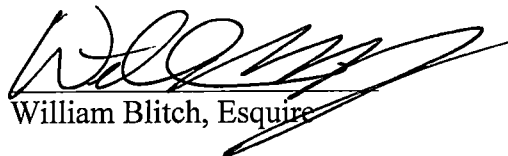
Respectfully submitted,

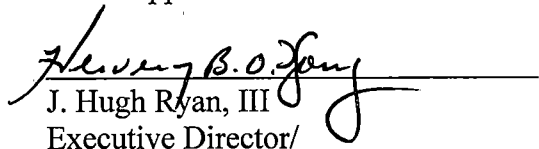

Joanna K. Delany
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 13th day of May, 2019.

I do not oppose:


William Blitch, Esquire


J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director