

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Anderson County
J. Cordell Maddox, Circuit Court Judge

THE STATE,

RESPONDED **RECEIVED**

V.

MAY 22 2019

DAMORIUS DONTAVIS GAINES,

SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2018-001672

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

Counsel for Damorius Dontavis Gaines respectfully requests a **fourth and final** extension of thirty days **until June 21, 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. 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 are due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Damorius Dontavis Gaines 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.

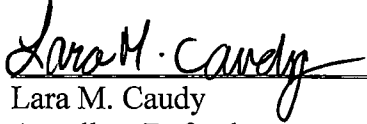
3. On May 17, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Waymon Newton v. State with the Supreme Court. On May 2, 2019, counsel filed a petition for rehearing in The State v. Justin Antonio Butler with the Court of Appeals. On May 2, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Robert Len Gainey with the Court of Appeals. On April 26, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Vanessa L. Frayer v. The State with the Supreme Court. On April 25, 2019, counsel filed a petition for rehearing in The State v. George Holmes with the Court of Appeals. On April 24, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Stacardo Grissett with the Court of Appeals. On April 11, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Tyrus Rashawn Woodruff v. The State with the Supreme Court. On April 8, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Wade Rouse v. The State with the Supreme Court. 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.

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 her 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 day extension** until **June 21, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

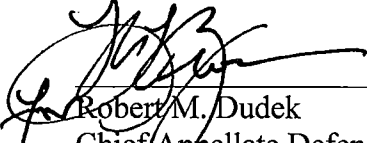
Respectfully submitted,



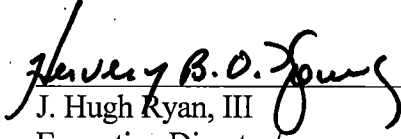
Lara M. Caudy

Appellate Defender

Attorney for Appellant




Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B.O. Young
General Counsel

This 22nd day of May, 2019.

I consent:


for William M. Blitch, Esquire