

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County

Honorable Howard P. King, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

v.

GENE DAVID EVANS,

APPELLANT

RECEIVED
JUN 14 2019
SC Court of Appeals

APPELLATE CASE NO. 2018-000365

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

Counsel for Gene David Evans respectfully requests a **fourth and final** extension of thirty (30) days **until July 15, 2019**, days 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 Gene David Evans 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.

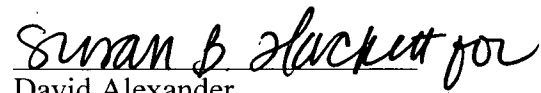
3. Counsel filed the return to petition for rehearing in the case of The State v. Daniel Hamrick with this Court on June 7, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. M'Andre Cochran with this Court on May 20, 2019. Counsel had an oral argument in the case of The State v. Vincent Missouri before the Supreme Court on May 8, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rashawn Carter with this Court on May 2, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christian Coleman v. The State with the Supreme Court on April 22, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of In The Matter of the Care and Treatment of Otis Alford with this Court on April 16, 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.

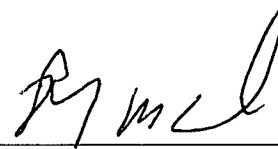
5. Counsel for the Attorney General's office consents to this request shown by signature below.

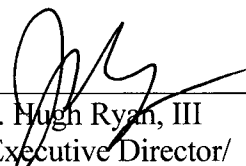
WHEREFORE, the undersigned counsel would respectfully request **a fourth and final thirty (30) day extension** until **July 15, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,


David Alexander
Appellate Defender

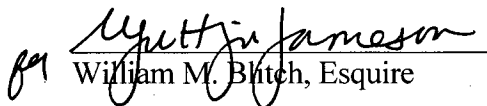
Attorney for Appellant


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 14th day of June, 2019.

I consent:


William M. Blitch, Esquire