

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Saluda County
Eugene C. Griffith, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ABIN LEE LOWMAN,

APPELLANT

RECEIVED

JUN 24 2019

SC Court of Appeals

APPELLATE CASE NO. 2018-001215

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

Counsel for Abin Lee Lowman respectfully requests a **final thirty (30) day extension, until July 24, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible, and regrets the absolute necessity for this extraordinary extension request.** 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.

2. Counsel for Abin Lee Lowman 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 training four less experienced appellate defenders, and he is interviewing to replace Appellate Defender LaNelle DuRant. Counsel also served as an appellate advisor for the State v. Timothy Ray Jones, Jr., death penalty trial which involved him being in court in Lexington a minimum of one full day a week for seven weeks. Counsel is also preparing for the Public Defense 103 training for Public Defenders in Greenville next week from July 1-3, 2019 where he is a trainer on error preservation for appeal. Counsel also has extensive administrative duties as the Chief Appellate Defender, including Appellate Project oversight, and he carries a full caseload in addition to these duties.** Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kwamaine Jarelle Ross with this Court on June 21, 2019. Counsel had oral argument in the case of The State v. Robert Lee Moore before the Supreme Court on June 10, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mikel Terrell Francis with this Court on June 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Casey Dajuan Geter with this Court on May 21, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. David Matthew Carter with this Court on May 14, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Brandon Childers with this Court on May 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ricky

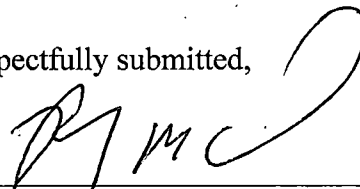
Anthony Short with this Court on April 26, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Randall Clark with this Court on April 16, 2019.

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.

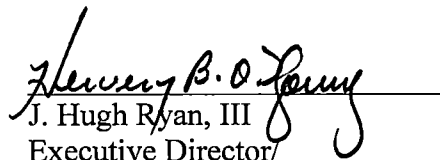
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until July 24, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the brief before this deadline if possible.** 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

Attorney for Appellant



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 24th day of June, 2019.

I consent:



William M. Bitch, Esquire