

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Honorable Roger M. Young, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

V.

MARK EMIL DAY,

APPELLANT

RECEIVED
JUL 31 2019
SC Court of Appeals

APPELLATE CASE NO. 2018-001918

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

Counsel for Mark Emil Day respectfully requests an extension of a **final thirty (30) days, until August 30, 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 Mark Emil Day 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 filed the petition for writ of certiorari and accompanying appendix in the case of James Frady v. The State with the Supreme Court on July 29, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Mark Lorenzo Blake with this Court on July 24, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wayne Cooper v. The State with the Supreme Court on July 22, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Isaac Williams v. The State with the Supreme Court on July 5, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stephen Francois v. The State with the Supreme Court on July 3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marvin Bowens-Green v. The State with the Supreme Court on June 27, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Vaughn Hilliard v. The State with the Supreme Court on June 24, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Sessions v. The State with the Supreme Court on June 17, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Murray v. The State with the Supreme Court on June 17, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of DeAngelo Mickell v. The State with the Supreme Court on June 12, 2019. Counsel filed the reply to the brief of respondent in the case of The State v. Eric Spratt with the Supreme Court on May 28, 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.

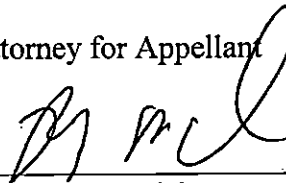
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until August 30, 2019** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

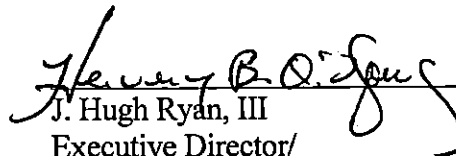


Taylor D. Gilliam
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 31st day of July, 2019.

I consent:



William M. Blitch, Esquire