

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Charleston County  
Robin B. Stillwell, Circuit Court Judge

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**ORIGINAL**

THE STATE,

RESPONDENT,

V.

FILICIANO JERMAINE SMITH,

APPELLANT

**RECEIVED**

AUG 05 2019

SC Court of Appeals

APPELLATE CASE NO. 2018-002039

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

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Counsel for Filiciano Jermaine Smith respectfully requests a **fourth and final** extension of thirty days **until September 4, 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 Filiciano Jermaine Smith 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.

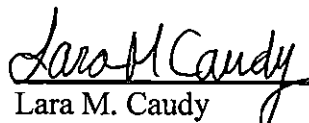
3. On August 2, 2019, counsel filed the initial brief of appellant and designation of matter in In the Matter of the Care and Treatment of William Ralph Wilson, III with the Court of Appeals. On July 26, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Matthew C. Dwyer v. The State with the Supreme Court. On July 22, 2019, counsel filed the petition for writ of certiorari to the Court of Appeals in The State v. Felix Kotowski with the Supreme Court. On July 18, 2019, counsel filed the Anders brief of appellant and record on appeal in In the Matter of the Care and Treatment of Mark Rainey with the Court of Appeals. On July 11, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Dale Elroy Mathis with the Court of Appeals. On June 28, 2019, counsel filed the petition for writ of certiorari to the Court of Appeals in The State v. Justin Antonio Butler with the Supreme Court. On June 26, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Demorris Octswavious Andrews with the Court of Appeals. On June 14, 2019, counsel filed the brief of petitioner in Trevaughn Ziontae Jackson v. The State with the Court of Appeals. On June 10, 2019, counsel filed the Anders brief of appellant and record on appeal in The State v. Damorius Dontavis Gaines with the Court of Appeals.

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.

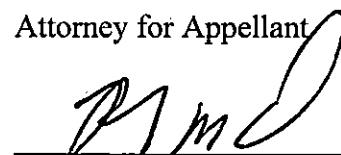
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty day extension** until **September 4, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

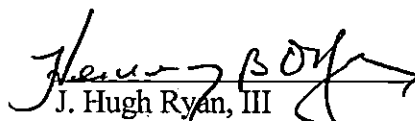
  
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Lara M. Caudy  
Appellate Defender

Attorney for Appellant

  
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Robert M. Dudek  
Chief Appellate Defender

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

This 5<sup>th</sup> day of August, 2019.

I consent:

  
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William M. Blitch, Esquire