

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County
Honorable J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

ROY GENE SUTHERLAND, III,

APPELLANT

APPELLATE CASE NO. 2018-002148

RECEIVED

AUG 30 2019

SC Court of Appeals

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER

The undersigned counsel respectfully requests a thirty day extension in which to file the Initial Brief of Appellant and Designation of Matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.

2. Counsel filed the return to petition for rehearing in the case of State v. Gary Eugene Lott with the Supreme Court on August 26, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Benjamin Blake with this Court on August 22, 2019. Counsel filed the petition for writ of certiorari and

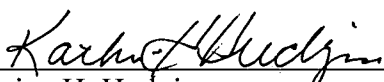
accompanying appendix in the case of Richard Stribling v. The State of South Carolina with the Supreme Court on August 20, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Jyquez Julius Freeman with this Court on August 9, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Crosby v. The State of South Carolina with the Supreme Court on August 7, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keenan Coakley v. The State of South Carolina with the Supreme Court on July 31, 2019. Counsel filed the petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Jonta Green v. The State of South Carolina with the Supreme Court on July 26, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John M. Cureton v. The State of South Carolina with the Supreme Court on July 24, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State of South Carolina v. Drake Edward Campbell with this Court on July 16, 2019. Counsel filed the petition for rehearing in the case of State v. Aaron Young, Sr. with this Court on July 11, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nathaniel Mitchell v. The State of South Carolina with the Supreme Court on July 1, 2019. Counsel filed the petition for rehearing in the case of State v. Jose Reyes Reyes with this Court on June 27, 2019.

3. This request is made in good faith, and not for purposes 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.

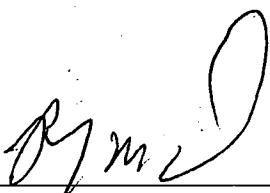
4. As indicated by the counsel below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



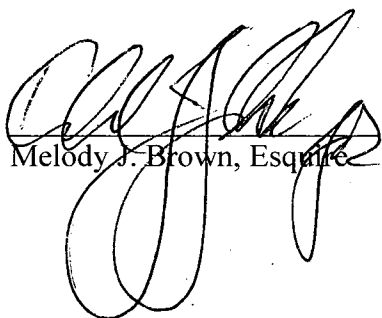
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 30th day of August, 2019.

I do not oppose:



Melody J. Brown, Esquire