

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Hampton County  
Honorable Perry M. Buckner, Circuit Court Judge

ORIGINAL

THE STATE,

RESPONDENT,

v.

DANIEL LEE FLUDD,

APPELLANT.

RECEIVED  
SEP 04 2019  
SC Court of Appeals

APPELLATE CASE NO. 2018-002201

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

Counsel for Daniel Lee Fludd respectfully requests a **fourth and final** extension of thirty (30) days **until October 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 Daniel Lee Fludd 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.

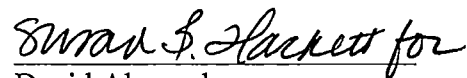
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Dameon Brown with the This Court on September 4, 2019. Counsel filed the return to petition for rehearing in the case of The State v. Vladimir Pantovich with the Supreme Court on August 29, 2019. Counsel filed the brief of petitioner in the case of The State v. Robin Herndon with the Supreme Court on August 20, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Michael Collins with the This Court on August 7, 2019. Counsel filed the return to petition for rehearing in the case of The State v. Anthony Martin with the Supreme Court on August 2, 2019. Counsel filed the brief of petitioner in the case of The State v. Michael Juan Smith with the Supreme Court on July 31, 2019. Counsel filed the brief of petitioner in the case of Robin Renee Herndon v. The State with the Supreme Court on July 29, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Kenneth Campbell with the This Court on July 26, 2019. Counsel filed the return to petition for writ of certiorari to the This Court in the case of The State v. John Kenneth Massey, Jr. with the Supreme Court on July 5, 2019.

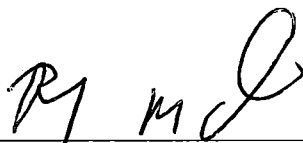
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

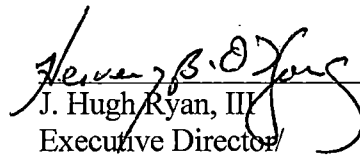
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **October 4, 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,

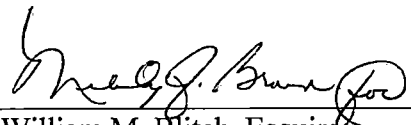
  
David Alexander  
Appellate Defender  
Attorney for Appellant

  
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 4th day of September, 2019.

I consent:

  
William M. Blich, Esquire