

3

RECEIVED
SEP 13 2019
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

SEP 12 2019

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions
Roger L. Couch, Circuit Court Judge

S.C. SUPREME COURT

Appellate Case No. 2018-001909

The State,..... Respondent,

v.

Dana L. Morton, Appellant.

Motion to Extend Time to File Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal

By written order filed July 9, 2019, this Court substituted undersigned counsel for the Division of Appellate Defense and extended the time to file the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. Counsel petitions this Court for an extension of thirty days to Wednesday, October 9, 2019. This request is based on counsel's other profession obligations and not intended for delay. During the week of July 22, 2019, counsel was involved in two and one-half days of jury selection and pretrial motions in a six co-defendant attempted murder trial that was ultimately continued to December. From July 31 to August 4, 2019, counsel attended a seminar and meeting of the National Association of Criminal Defense Lawyers in Philadelphia, Pennsylvania. From August 19-21, 2019, counsel tried *State v. Ernesto Jimenez*, Case No. 2015-A24-201-00559, a criminal second-degree sexual conduct with minor prosecution, August 19-21, 2019. Undersigned counsel also filed an Initial Reply

Brief in the Court of Appeals in *State v. Charles Dent*, Appellate Case No. 2018-001257, on August 19, 2019.

Counsel has been reviewing the trial transcript, which is 1095 pages, and has identified three issues for appeal. This extension is necessary for counsel to effectively brief the issues in this appeal. *See Smith v. Robbins*, 528 U.S. 259 (2000), *Evitts v. Lucey*, 469 U.S. 387, 396 (1985); *see also Patrick v. State*, 349 S.C. 203, 562 S.E.2d 609 (2002), *Southerland v. State*, 337 S.C. 610, 524 S.E.2d 833 (1999).

IT IS SO MOVED.

Respectfully Submitted,

By



E. Charles Grose, Jr.
S.C. Bar Number 66063
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466
(864) 538-4405 (fax)
Email: charles@groselawfirm.com

Attorney for the Appellant

September 9, 2019

RECEIVED
SEP 13 2019
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

SEP 12 2019

S.C. SUPREME COURT

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions
Roger L. Couch, Circuit Court Judge

Appellate Case No. 2018-001909

The State,..... Respondent

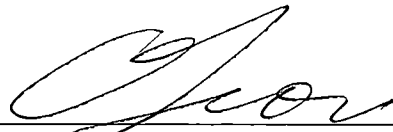
v.

Dana L. Morton, Appellant.

Certificate of Service

I certify that I have served this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

William M. Blich, Jr. , Esquire
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211



E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466
E-mail: charles@groselawfirm.com

September 9, 2019.

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

September 9, 2019

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *State of South Carolina v. Dana L. Morton*
Appellate Case No. 2018-001909

RECEIVED

SEP 13 2019

SC Court of Appeals

RECEIVED

SEP 12 2019

S.C. SUPREME COURT

Dear Ms. Kitchings:

Enclosed for filing, please find Mr. Morton's Motion to Extend Time to File Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal, along with a certificate of service.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: William M. Blich, Jr.

The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646



1030



29211

U.S. POSTAGE PAID
FOLY LG ENV
GREENWOOD, SC
SEP 09 13
AMOUNT
\$1.60
R2305K141318-03

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED

SEP 13 2019

SC Court of Appeals

