

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Cherokee County

J. Mark Hayes, Circuit Court Judge

ORIGINAL

RECEIVED

OCT 03 2019

SC Court of Appeals
RESPONDENT,

THE STATE,

v.

WILLIAM D. PENNINGTON,

APPELLANT

Appellate Case No. 2018-001619

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

Counsel for William D. Pennington respectfully requests a **final extension of thirty (30) days, until November 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. 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 four previous extensions.
2. Counsel for William D. Pennington 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. William C. (Billy) Sellers with this Court on October 2, 2019. Counsel presented the Case Law Update PowerPoint presentation at the annual Public Defender Conference, which was held in Myrtle Beach, South Carolina, on September 23-25, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Michael Manners v. The State with the Supreme Court on September 20, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Isaiah Gadson, Jr., with this Court on September 13, 2019. Counsel filed the initial reply brief of appellant in the case of The State v. Nick Russell Evangelista with this Court on September 5, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Al Martinez Green v. The State with the Supreme Court on August 28, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Gregg Pickrell with this Court on August 23, 2019. Counsel filed the return to petition for rehearing in the case of The State v. James Scott Cross with the Supreme Court on August 15, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Darrell Eugene Blackwell with this Court on August 12, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sylvester Keejuan King v. The State with the Supreme Court on August 9, 2019. Counsel filed the petition for rehearing in the case of The State v. John M. Ghent, Jr., with this Court on August 8, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shana Robinson v. The State with the Supreme Court on July 31, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight,**

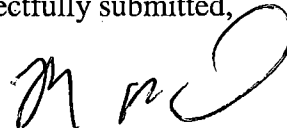
and training four less experienced appellate defenders and reviewing all their filings in advance.

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) day extension until November 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.

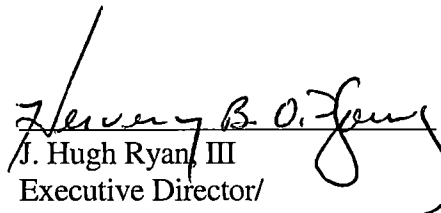
Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

Adam Sinclair Ruffin
Appellate Defender

ATTORNEYS FOR APPELLANT

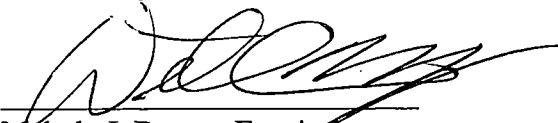


J. Hugh Ryan III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown

Deputy General Counsel and Training
Director

This 2nd day of October, 2019.

I consent:



for Melody J. Brown, Esquire