

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

RECEIVED

Appeal from Horry County

OCT 16 2019

Steven H. John, Circuit Court Judge

Court of Appeals

THE STATE,

RESPONDENT,

V.

ROGER D. GRATE,

APPELLANT

APPELLATE CASE NO. 2019-000472

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel filed the petition for rehearing in the case of State v. Ronald Yates Hyatt in this Court on October 10, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jamie Robinson in this Court on October 2, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Richez Markivious

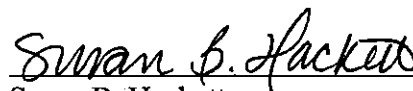
Bowser in this Court on September 4, 2019. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of State v. Fabian LaMichael Green in the Supreme Court on August 28, 2019. Counsel filed the return to the state's petition for rehearing in the case of Shane Adam Burnette v. State in the Supreme Court on August 23, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Bertram Merle Brown in this Court on August 21, 2019.

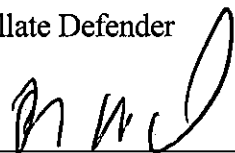
3. This request is made in good faith, and not for purposes of delay.

4. As indicated by his consent 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 in which to file the initial brief of appellant and designation of matter in this case. Counsel 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.

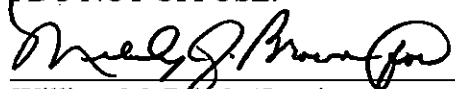
Respectfully submitted,

  
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Susan B. Hackett  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

October 16, 2019

(DO NOT OPPOSE:

  
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William M. Bitch, Esquire