

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
DeAndrea G. Benjamin, Circuit Court Judge

**ORIGINAL
RECEIVED**
OCT 18 2019
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

ROBERT XAVIER GETER,

APPELLANT

Appellate Case No. 2018-001647

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 petition for writ of certiorari and accompanying appendix in the case of Jakeivan A. Pulley v. The State with the Supreme Court today, October 18, 2019. Counsel is also presently working on the initial brief of appellant in the case of The State v. Dashaun Livaughn Simmons, which was a lengthy murder trial. 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

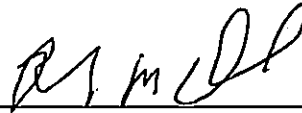
Public Defender Conference, which was held in Myrtle Beach, South Carolina, on September 23-25, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Michael Manners v. The State with the Supreme Court on September 20, 2019. Counsel filed the initial 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 the Court of Appeals 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 this 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 the Court of Appeals on August 23, 2019. Counsel filed the return to petition for rehearing in the case of The State v. James Scott Cross with this Court on August 15, 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.**

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.

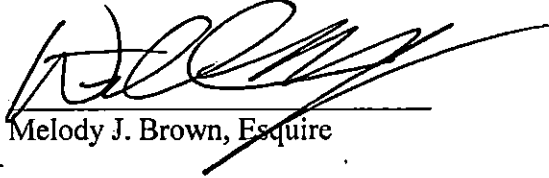
Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

This 18th day of October, 2019

I DO NOT OPPOSE:



Melody J. Brown, Esquire

Fon