

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Aiken County

Edgar W. Dickson, Circuit Court Judge

ORIGINAL

RECEIVED

OCT 21 2019

RESPONDENT,

SC Court of Appeals

THE STATE,

v.

JOHN ANDREW FINCH,

APPELLANT

APPELLATE CASE NO. 2018-002264

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

Counsel for John Andrew Finch respectfully requests a **final eight day extension, until November 29, 2019**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will file the Initial Brief of Appellant and Designation of Matter before the deadline if possible.** 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.
2. Counsel for John Andrew Finch 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. *This deadline was inadvertently left off of counsel's calendar for today.* Counsel is filing the initial brief of appellant and designation of matter in the case of The State v. Dashaun Livaughn Simmons with this Court today, Monday, October 21, 2019. Counsel is also preparing for oral argument in the case of The State v. Deshanndon Markelle Franks, which will be held before this Court tomorrow, October 22, 2019, in Clemson, South Carolina. 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 on Friday, October 18, 2019. Counsel filed the two issue petition for writ of certiorari and accompanying appendix in the case of The State v. Ahshaad Mykiel Owens with the Supreme Court on October 14, 2019. 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 the Court of Appeals 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

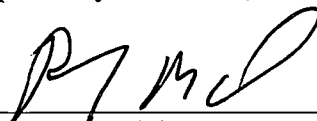
the Supreme Court on August 15, 2019. **Counsel has extensive administrative duties as the Chief Appellate Defender. Counsel also has to discuss the cases of four inexperienced Appellate Defenders with them in advance and read all of their filings in advance. Counsel also has many administrative duties, Appellate Project oversight duties, and he has been interviewing for open staff positions as well. Counsel regrets the necessity of this extension request, but it is absolutely necessary under the circumstances.**

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.

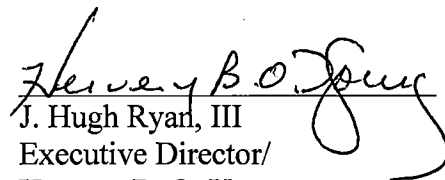
WHEREFORE, the undersigned counsel would respectfully request a **final eight (8) day extension until October 29, 2019**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will file the brief earlier if possible.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



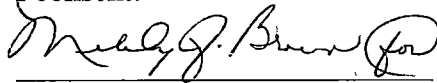
Robert M. Dudek
Chief Appellate Defender

Attorney for Appellant


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

This 21st day of October, 2019.

I consent:



William M. Blich, Esquire