

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Fairfield County
Honorable R. Keith Kelly, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

WILLIE EDWARD BYRD,

APPELLANT

RECEIVED

OCT 8 0 2019

SC Court of Appeals

APPELLATE CASE NO. 2019-000484

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

Counsel for Willie Edward Byrd respectfully requests a **fourth and final thirty (30) day extension, until December 2, 2019**, in which to file the initial brief of appellant and designation of matter out of time in the above-referenced 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 in this case were due to be served and filed with this Court on Monday, October 28, 2019. Due to a calendaring error, an extension was not filed in a timely manner. Upon realizing this error, counsel acted immediately to resolve it. The Court has granted counsel three previous extensions.**

2. Counsel for Willie Edward Byrd 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 her caseload, counsel hopes that no further extension requests will be required.

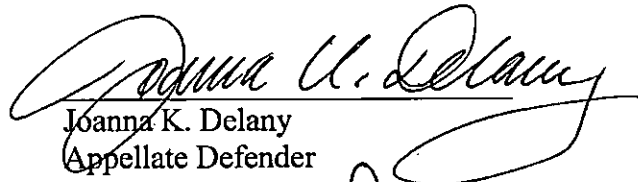
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Devonta Williams with this Court on October 28, 2019. Counsel had oral argument before this Court in the case of Terrence Frasier v. The State on October 14, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kristopher Block v. The State with the Supreme Court on October 8, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Richard Kenneth Galloway with this Court on October 7, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lance R. Elam with this Court on October 3, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Johnny Ray Walker, Jr. v. The State with the Supreme Court on September 26, 2019. On September 23 – 25, 2019, counsel attended the annual Public Defender Convention in Myrtle Beach, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jarvis Stripling with this Court on September 10, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lorgio D. Morales v. The State with the Supreme Court on September 4, 2019.

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.

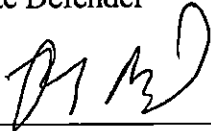
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension until December 2, 2019**, in which to file the initial brief of appellant and designation of matter out of time in this case based upon the above exigent circumstances. 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.

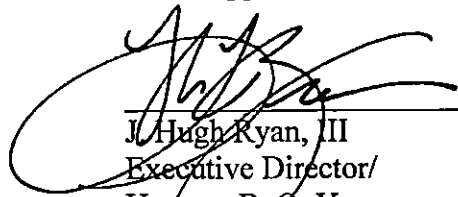
Respectfully submitted,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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 this 30th day of October.

I do not oppose:



William M. Blich, Esquire