

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Eugene C. Griffith, Circuit Court Judge

THE STATE,

V.

NICHOLAS BENJAMIN CHHITH-BERRY,

APPELLANT

APPELLATE CASE NO. 2019-000352

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

The undersigned counsel would respectfully request a **final thirty-day extension until January 20, 2020** 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 three prior orders of this Court.

2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Roger D. Grate in this court on December 16, 2019. Counsel had an oral argument in the case of State v. Mykel Johnson with this court on December 10, 2019. Counsel filed the petition for rehearing in the case of State v. Gregory Brooks in this court on December 5, 2019. Counsel

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filed the Anders brief of appellant and designation of matter in the case of The State v. Dontarious Jaron Wright in this court on November 27, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Shannon Earl Garland in this court on November 20, 2019. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Aaron Benjamin Beach in this court on November 1, 2019. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Glen K. LaConey v. The State in the Supreme Court on October 30, 2019. Counsel filed the petition for rehearing in the case of State v. Edward T. Chandler in this court on October 24, 2019.

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

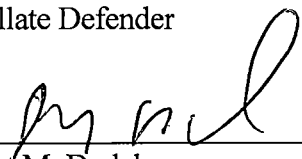
4. As indicated by the signature below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until January 20, 2020** 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,



Susan B. Hackett
Appellate Defender



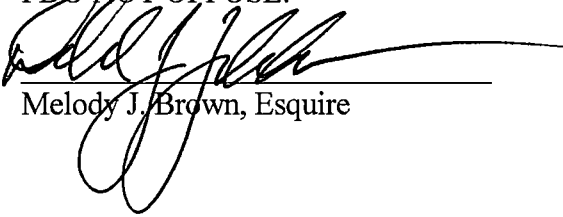
Robert M. Dudek
Chief Appellate Defender



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

December 20, 2019

I DO NOT OPPOSE:



Melody J. Brown, Esquire