

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Richland County

DeAndrea G. Benjamin, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

ANDRE TYRONE HEATLEY, JR.,

RECEIVED

JAN 13 2020

APPELLANT.

SC Court of Appeals

APPELLATE CASE NO. 2019-000165

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

Counsel for Andre Tyrone Heatley, respectfully requests a **fourth and final** thirty (30) day extension **until February 12, 2020**, days in which to file the initial brief of appellant and designation of matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed with the Court today. The Court has granted counsel three previous extensions.

2. Counsel for Andre Tyrone Heatley, 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. On January 8, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Charles Bunton with the Court of Appeals. On January 8, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Filiciano Jermaine Smith with the Court of Appeals. On January 6, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Tammy Caison Moorer with the Court of Appeals. On December 31, 2019, counsel filed the initial brief of appellant and designation of matter in In the Matter of the Care and Treatment of Antonio Young with the Court of Appeals. On December 16, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Tamarcus Long v. The State with the Supreme Court. On December 12, 2019, counsel filed the initial brief of appellant and designation of matter in The State v. Frederick Harrison Towe with the Court of Appeals. On December 4, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Brandon James Littell v. The State with the Supreme Court. On November 25, 2019, counsel filed a petition for a writ of certiorari to the Court of Appeals in The State v. Anthony M. Enriquez with the Supreme Court. On November 8, 2019, counsel filed a petition for writ of certiorari and accompanying appendix in Moses Frasier v. The State with the Supreme Court.

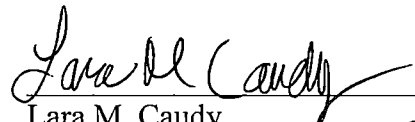
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

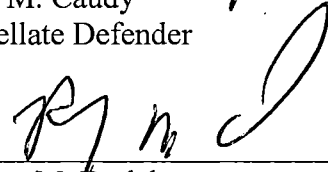
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **February 12, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

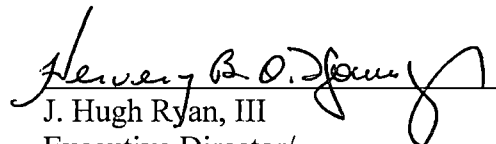
Respectfully submitted,



Lara M. Caudy
Appellate Defender



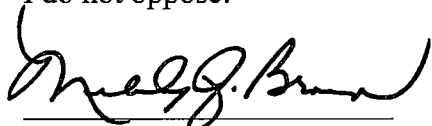
Robert M. Dudek
Chief Appellate Defender



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 13th day of January, 2020.

I do not oppose:



Melody J. Brown, Esquire