

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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MAR 04 2020
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CURNEZ ELLERBEE,

APPELLANT

APPELLATE CASE NO. 2019-000910

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 Johnson petition for writ of certiorari and accompanying appendix in the case of Sara Hodson v. State in the Supreme Court on February 11, 2020. Counsel filed the petition for rehearing in the case of The State v. Alqi Dhimo with this Court on February 7, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donald Peters v. The State with the Supreme Court on February 4, 2020. Counsel

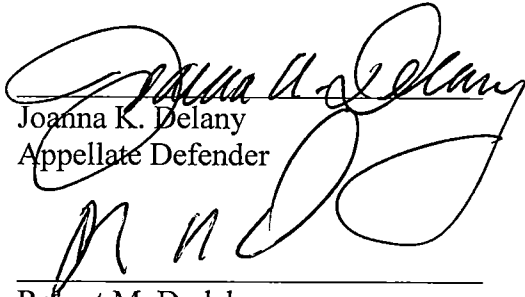
filed the petition for writ of certiorari and accompanying appendix in the case of Travis Hair v. The State with the Supreme Court on January 24, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sandy Westmoreland v. The State with the Supreme Court on January 16, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Phillip Monroe v. The State with the Supreme Court on January 13, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Henry Gray v. The State with the Supreme Court on January 2, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kemonie Jones v. The State with the Supreme Court on December 30, 2019.

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.

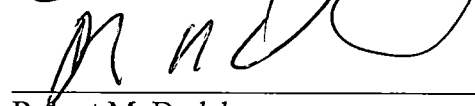
4. As indicated by the counsel below, counsel for the state graciously consents to or does not oppose this request.

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,



Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 4th day of March, 2020.

I do not oppose:



William M. Blich, Jr., Esquire