

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Jasper County

R. Ferrell Cothran, Circuit Court Judge

RECEIVED

Oct 12 2020

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID ERIC HUGUE, JR.,

APPELLANT.

APPELLATE CASE NO. 2020-000238

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

Counsel for David Eric Hugue, Jr., respectfully requests a **fourth and final thirty (30) day extension until November 12, 2020**, 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 David Eric Hugue, Jr., 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.

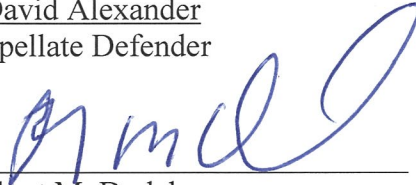
3. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jason Donn Lee with this Court on October 9, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of the Care and Treatment of Ronald MJ Gregg and with this Court on September 30, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jacop Robert Lee Hazlett with this Court on September 9, 2020. Counsel filed the reply to return to petition for writ of certiorari in the **death penalty** case of Marion Alexander Lindsey v. The State with the Supreme Court on September 3, 2020. Counsel filed the petition for writ of certiorari in the case of Jovan Mitchell v. The State with this Court on September 2, 2020. Counsel filed the brief of appellant and designation of matter in the case of The State v. Jacory Sharod Foster with this Court on August 26, 2020. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Maulique Alexander Heyward and with this Court on August 24, 2020.

4. On September 28, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through October 31, 2020.

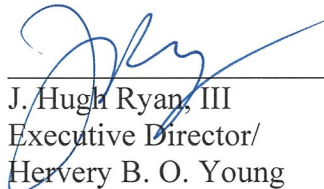
WHEREFORE, the undersigned counsel would respectfully request a **fourth and final thirty (30) day extension** until **November 12, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

s/David Alexander
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

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency" dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension to File the Initial Brief of Appellant and Designation of Matter in the above referenced case has been served upon Melody J. Brown, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 12th day of October, 2020.

s/David Alexander
Appellate Defender

ATTORNEY FOR APPELLANT