

Original

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

C. Victor Pyle, Jr., Circuit Court Judge

RECEIVED

MAY 20 2013

COURT of Appeals

THE STATE,

RESPONDENT,

V.

WALLACE E. EVATT, JR.,

APPELLANT

Appellate Case No. 2012-212616

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

The undersigned counsel would respectfully request 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 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 two prior orders of this Court.
2. Counsel filed the petition for writ of certiorari in the case of State v. Trevee J. Gethers (Cert in the COA) in the Supreme Court on May 15, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Travario Dormell Brunson in the Supreme Court on May 14, 2013. Counsel had an oral argument

in the case of State v. Marshall McGaha in this Court on May 8, 2013. Counsel had an oral argument in the case of State v. Sasha Gaskins in this Court on May 7, 2013. Counsel had an oral argument in the case of State v. Reginald Nance in this Court on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kevin Roney in this Court on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Malik Matthews in this Court on April 29, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Thomas Gilliland (Cert in the COA) in the Supreme Court on April 26, 2013. Counsel filed the petition for rehearing in the case of State v. Anthony Hackshaw with this Court on April 25, 2013. Counsel filed the petition for rehearing in the case of State v. Connie Dumas in this Court on April 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jeffrey Dodd Thomas with this Court on April 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremey Durant v. State with the Supreme Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Derringer Young in this Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Devontay Henson with this Court on April 23, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Stevie Lamont Aiken (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Kendrick Dennis (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case Ricky Dean Duncan v. State in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Floyd v.

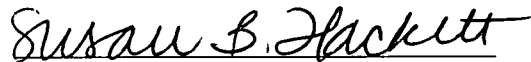
State with the Supreme Court on April 17, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremy Richard Phillips v. State in the Supreme Court on April 15, 2013. Counsel filed the record on appeal in the case of State v. Sam Harold Smith in this Court on April 12, 2013. Counsel had an oral argument with this Court in the case of State v. Ladorrean Collington on April 10, 2013. Counsel had an oral argument with this Court in the case of State v. Sasha Gaskins on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Evelyn Buckle v. State with the Supreme Court on April 4, 2013. Counsel had an oral argument with this Court in the case of State v. Rodrigues Carter on April 3, 2013. Counsel had an oral argument with this Court in the case of State v. Loudin Rohr on April 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Clarence Jenkins with this Court on April 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lamar D. Williams in this Court on March 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Damien Inman with this Court on March 28, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Albert Spann v. State in the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Ray Rice v. State with the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Marion Bonds (Cert in the COA) in the Supreme Court on March 21, 2013. Counsel had an oral argument with the Supreme Court in the case of State v. Quashon G. Middleton on March 20, 2013.

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

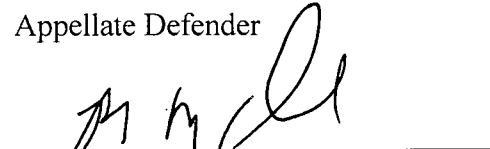
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension 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,



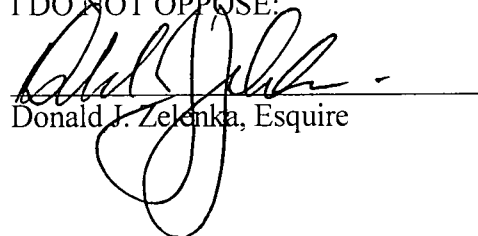
Susan B. Hackett  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

May 20, 2013

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire