

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
MAY 22 2013

SC Court of Appeals

Appeal from Charleston County
Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEROD SWINTON,

APPELLANT

Appellate Case No. 2012-212564

**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 June 21, 2013**, 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 four prior orders of this Court.
2. Counsel is preparing to file the petition for writ of certiorari and accompanying appendix in the case of Matthew W. Gilliard v. State in the Supreme Court today, May 22, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Douglas Bret Bishop in this Court on May 21, 2013.

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 R. 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

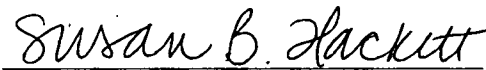
Court on March 25, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Marion Bonds (Cert in the COA) in the Supreme Court on March 21, 2013.

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

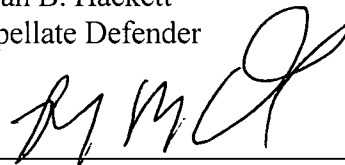
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until June 21, 2013**, 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.

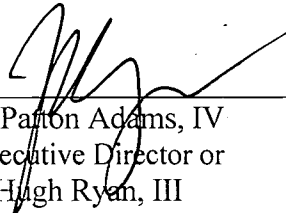
Respectfully submitted,



Susan B. Hackett
Appellate Defender



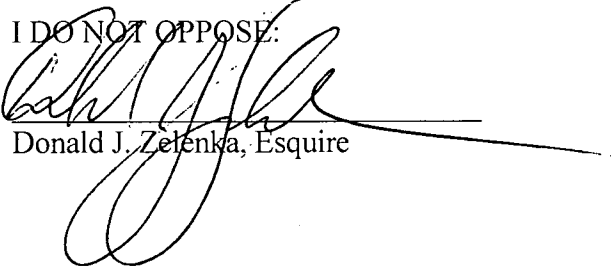
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

May 22, 2013

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire