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SC COURT OF APPEALS

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Marion County

William H. Seals, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DARRELL LEE BIRCH,

APPELLANT

APPELLATE CASE NO. 2012-213215

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

Counsel for Darrell Lee Birch respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

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

2. Counsel for Darrell Lee Birch 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. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jamario Q. Jones with the Court of Appeals on May 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antonio Lee Dodd with the Court of Appeals on May 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Erick E. Hewins in the Court of Appeals on May 13, 2013. Counsel had an oral argument in the case of State v. Michael Avery Humphrey in the Court of Appeals on May 8, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marcus Daniel Allison in the Court of Appeals on May 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of and Gary Waiters v. State in the Supreme Court on May 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mable Lee-Bey v. State in the Supreme Court on May 1, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry Whitfield v. State in the Supreme Court on April 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Donald Anderson in the Court of Appeals on April 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric LaGeorge Mouzon v. State in the Supreme Court on April 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Little Johnny Lee Mackey v. State in the Supreme Court on April 12, 2013.

4. Counsel makes this request in good faith and not for purpose of delay.

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

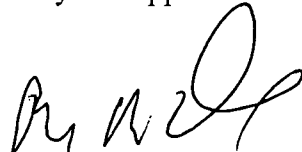
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Carmen V. Ganjehsani
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 24th day of May, 2013.

I consent:



Salley W. Elliott, Esquire