

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County

Edgar W. Dickson, Circuit Court Judge

RECEIVED

MAY 24 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JASON A. BAUMAN,

APPELLANT

Appellate Case No. 2012-212285

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

The undersigned counsel respectfully requests a **final thirty day extension, until June 24, 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 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 petition for writ of certiorari and accompanying appendix in the case of State v. Jason Ray Franks (in the COA) in the Supreme Court yesterday, May 23, 2013. In addition, Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Jefferson Perry and State v. Robert Renzo in this Court yesterday, May 23, 2013.

Counsel filed the petition for rehearing in the case of State v. Jeffrey A. Michaelson in this Court on May 22, 2013. **Counsel, for this office, has received an unprecedented number of death penalty cases from the lower courts at the same time over the past few weeks, and is working diligently to obtain the various transcripts needed in these cases within the thirty day deadline. Further, counsel continues his efforts to bring his entire caseload within office internal deadlines after two surgeries while having very heavy administrative duties as the Chief Appellate Defender which have included interviewing and hiring in the support and attorney staff.** Counsel filed the initial brief of appellant and designation of matter in the case of State v. Bobby McCann in this Court on May 17, 2013. Counsel had an oral argument in the case of State v. William Brockmeyer, where he is Counsel with Miles Coleman and Matt Bogan of Nelson Mullins Riley & Scarborough, LLP, in the Supreme Court on May 15, 2013. In addition, Counsel had oral arguments in the cases of State v. Robert C. Johnson and State v. Andre Richardson in this Court on May 14, 2013. Counsel filed the initial reply brief of appellant in the case of State v. Jamaal Hinson, with Co-Counsel Reid Sherard of Nelson Mullins Riley & Scarborough, LLP, in this Court on May 8, 2013. In addition, Counsel filed the petition for rehearing in the case of In the Interest of David L., a Minor Under the Age of Seventeen, with Co-Counsel E. Charles Grose, Jr., in the Supreme Court on May 8, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Craig Brannon v. State in the Supreme Court on May 6, 2013. Counsel filed the petition for rehearing in the case of State v. Andre Tayson Boone in this Court on May 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Peters in this Court on April 26, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Victor White in this Court on April 24, 2013. Counsel filed the petitioner's reply brief in the case of Gene Tony Cooper v. State in the United States Supreme Court on April 23, 2013. Counsel had

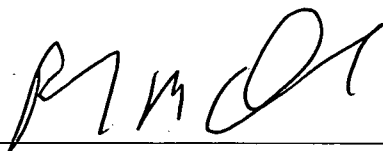
an oral argument in the case of In the Interest of David L., a Minor Under the Age of Seventeen (with co-counsel Charles Grose) in the Supreme Court on April 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jevon Brown in this Court on April 10, 2013. Counsel filed the petition for rehearing in the **death penalty** case of State v. Brad Sigmon in the Supreme Court on April 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Asherdon Holloway in this Court on April 3, 2013. Counsel had an oral argument in the case of State v. Andre Tayson Boone in this Court on April 1, 2013. In addition, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frankie Williams v. State in the Supreme Court on April 1, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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.

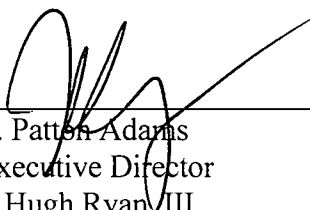
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until June 24, 2013**. 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,



Robert M. Dudek
Chief Appellate Defender



T. Patten Adams
Executive Director
J. Hugh Ryan III
General Counsel

May 24, 2013

I DO NOT OPPOSE:



Salley W. Elliott