

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Benjamin H. Culbertson, Circuit Court Judge

RECEIVED

JUN 07 2013

SC COURT OF APPEALS

THE STATE,

RESPONDENT,

V.

VERNTIRELL DUKES,

APPELLANT

APPELLATE CASE NO. 2012-213138

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

Counsel for Verntirell Dukes 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 Verntirell Dukes 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. Ontaney V. Jackson with this Court on May 31, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kareem J. Leaphart v. State of South Carolina with the Supreme Court on May 30, 2013. Counsel filed the brief of respondent in the case of The State v. Phillips Wesley Sawyer with the Supreme Court on May 30, 2013. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of The State v. Ralph Bernard Coleman with the Supreme Court on May 23, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Titus Bantan v. State of South Carolina with the Supreme Court on May 23, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Devin Gantt v. State of South Carolina with the Supreme Court on May 22, 2013. Counsel filed a return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Christopher Broadnax with the Supreme Court on May 21, 2013. Counsel filed the Petition for Rehearing in the case of The State v. Anthony Martin with this Court on May 16, 2013. Counsel had an oral argument in the case of The State v. Anthony Tilmon with this Court on May 15, 2013. Counsel filed the Initial Brief of Appellant in the case of The State v. Benjamin J. Jackson with this Court on May 13, 2013. Counsel had an oral argument in the case of The State v. David N. Rhoad in this Court on May 8, 2013. Counsel had an oral argument in the case of The State v. Michael Milledge in this Court on May 6, 2013. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Jovon Brown v. The State of South Carolina with the Supreme Court on May 1, 2013. Counsel filed the Petition for Rehearing in the case of The State v. Eugene D.

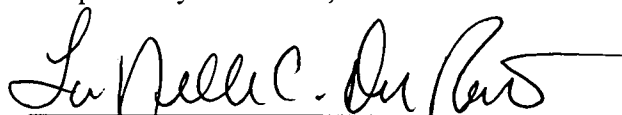
Patterson with this Court on May 1, 2013. Counsel filed the Johnson Petition for Writ of Certiorari in the case of Giles Belcher v. State of South Carolina with the Supreme Court on April 24, 2013. Counsel filed the Johnson Petition for Writ of Certiorari in the case of Jeremy J. Jeter v. State of South Carolina with the Supreme Court on April 24, 2013. Counsel filed the Brief of Petitioner in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez in the Supreme Court on April 23, 2012. Counsel filed the Brief of Petitioner and the Brief of Respondent in the case of In the Matter of Care and Treatment of Vince Neal Way in the Supreme Court on April 23, 2013. Counsel filed the petition for rehearing in the case of State v. Alonza Dennis in this Court on April 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Justin Nelson v. State with the Supreme Court on April 15, 2013. Counsel had an oral argument in the case of State v. Ronald Gooden in this Court on April 10, 2013. Counsel had an oral argument in the case of State v. John Mack with this Court on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher O'Neal Pringle v. State in the Supreme Court on April 3, 2013. Counsel had an oral argument in the case of State v. David Jakes with this Court on April 3, 2013. Counsel had an oral argument in the case of State v. Anthony Martin in this Court on April 3, 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

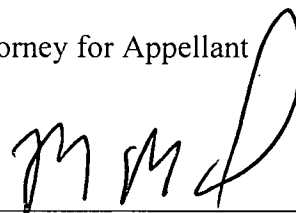
based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

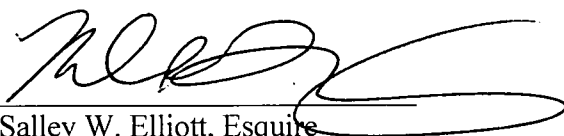
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 7th day of June, 2013.

I consent:



RS Salley W. Elliott, Esquire