

original

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Florence County

Thomas A. Russo, Circuit Court Judge

RECEIVED

JUN 25 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

v.

ANTHONY WADE,

APPELLANT

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

The undersigned counsel respectfully requests a **final thirty day extension, until July 25, 2012**, 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 is working on the petition for writ of certiorari and accompanying appendix in the case of Richard B. Moore v. State (Death Penalty) due to be filed with this Court on Thursday, June 28, 2012. Additionally, Counsel is preparing the petition for rehearing in the case of State v. Christopher Heller due in the Court of Appeals on Thursday, June 28, 2012, as

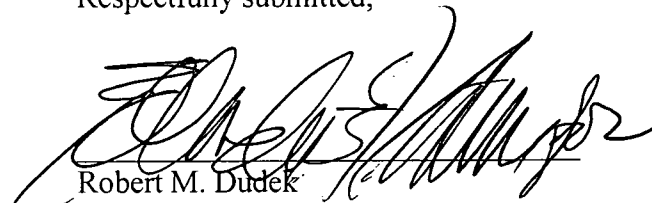
well. Counsel had an oral argument in the case of State v. Christopher Ryan Whitehead in the Court of Appeals on June 19, 2012. Counsel filed the petition for rehearing in the case of State v. Robert S. Jolly in the Court of Appeals on June 15, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Brandon M. with the Court of Appeals on June 13, 2012, arguing a directed verdict of acquittal should be issued. Counsel filed the petition for writ of certiorari in Jerry Buck Inman v. South Carolina with the Supreme Court of the United States on June 11, 2011. Counsel filed the brief of petitioner in the case of State v. Tracy Baker with this Court on June 8, 2012. Counsel had an oral argument in the case of State v. Tommy Toomer in the Court of Appeals on June 6, 2012. Counsel is currently working on four death penalty cases: Jerry Buck Inman v. South Carolina, (PCR application) Richard Bernard Moore v. State, (certiorari from PCR) Marion Alexander Lindsey v. State, (certiorari from PCR) and James Robertson v. South Carolina (Stay of execution in federal court to pursue certiorari in the State Supreme Court). Counsel filed the brief of appellant in State v. Andre T. Richardson with the Court of Appeals on June 1, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Justin O. Byers v. State with this Court on May 25, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tyrone Ransom v. State with this Court on May 24, 2012. Counsel filed the petition for writ of certiorari in Michael Joseph Fleming v. State with this Court on May 23, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Ricky Shane Black with the Court of Appeals on May 21, 2012. Counsel met with a client at Lieber Correctional Institution on May 17, 2012. Counsel filed the brief of petitioner in State v. Gene Tony Cooper with this Court on May 14, 2012. Counsel also filed the petition for writ of certiorari and accompanying appendix in Tyrone

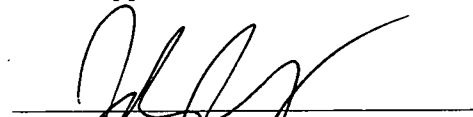
Lewis, Jr. v. State with this Court on May 14, 2012. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender.

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.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until July 25, 2012**. 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.

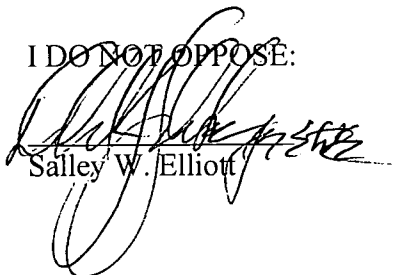
Respectfully submitted,

  
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Robert M. Dudek  
Chief Appellate Defender

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

June 25, 2012

I DO NOT OPPOSE:

  
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Salley W. Elliott