

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

Appeal from Pickens County

D. Garrison Hill, Circuit Court Judge

RECEIVED

JUN 24 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DONNA LYNN PHILLIPS,

APPELLANT

APPELLATE CASE NO. 2012-212663

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

Counsel for Donna Lynn Phillips 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 fourth 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 three previous extensions.
2. Counsel for Donna Lynn Phillips 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 petition for writ of certiorari to the Court of Appeals in the case of The State v. Jimmy Lee Sessions with the Supreme Court on June 19, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Demetrius Goodwin with the Supreme Court on June 19, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Bobby J. Barton with the Supreme Court on June 19, 2013. Counsel had an oral argument in the case of The State v. Christopher Taft, in this Court on June 13, 2013. Counsel had an oral argument in the case of The State v. John Peter Barnes, in this Court on June 13, 2013. Counsel had an oral argument in the case of The State v. Kenneth S. Bolden, in this Court on June 12, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Douglas M. Thompson, with this Court on June 12, 2013. 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.

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

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

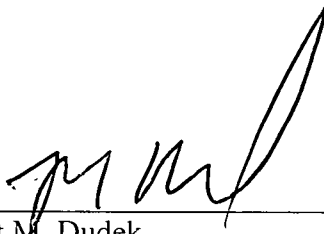
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

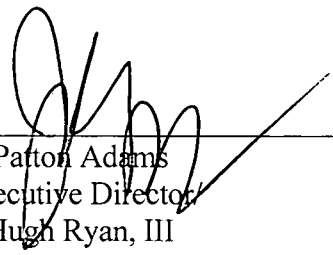
A handwritten signature in cursive script, reading "LaNelle C. Durant", written in black ink. The signature is fluid and includes a long horizontal flourish at the end.

LaNelle C. Durant  
Appellate Defender

Attorney for Appellant



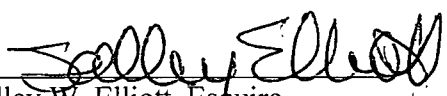
Robert M. Dudek  
Chief Appellate Defender



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

This 24th day of June, 2013.

I consent:

  
Salley W. Elliott, Esquire