

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
G. Thomas Cooper, Circuit Court Judge

RECEIVED

JUL 10 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JEFF CHESTNUT,

APPELLANT

APPELLATE CASE NO. 2012-213027

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

The undersigned counsel respectfully requests a thirty day extension 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 currently working on a death penalty case in Marion Bowman v. State. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brenda Bratschi in this Court on Monday, July 1, 2013. On Friday, June 21, 2013, counsel filed the brief of appellant and record on appeal in State v. Stakren Jefferson in this Court. Counsel had an oral argument in the case of State v. Michael L. Couch in this Court on Thursday, June 13, 2013.

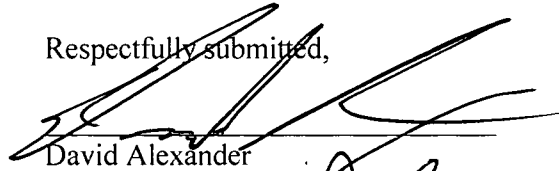
Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Dunn in this Court on Monday, June 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael D. Williams in this Court on Thursday, June 6, 2013. Also on Thursday, June 6, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Phillip Keathe Carey v. State in the Supreme Court. Counsel had an oral argument in the case of State v. Timmy Rogers in this Court on Wednesday, June 5, 2013. Counsel had an oral argument in the case of State v. Darren Scott in this Court on Wednesday, May 15, 2013. On Wednesday, May 8, 2013, counsel filed the Brief of Respondent and accompanying appendix with the Supreme Court in State v. Robert Watkins. On Monday, May 6, 2013, counsel filed the Brief of Petitioner with the Supreme Court in Richard Sims v. State. Counsel had an oral argument in the case of State v. James Miller in the Supreme Court on Thursday, May 2, 2013.

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.

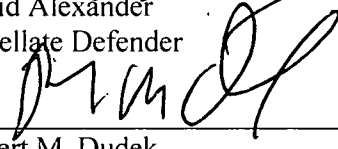
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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.

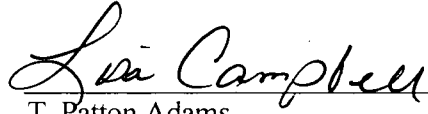
Respectfully submitted,



David Alexander
Appellate Defender



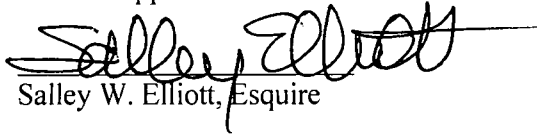
Robert M. Dudek
Chief Appellate Defender



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

July 10, 2013

I do not oppose:



Salley W. Elliott, Esquire



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Wanda H. Carter, Deputy Chief Appellate Defender

July 10, 2013

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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Dear Ms. Kitchings:

In absence of Hugh Ryan, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Patton Adams, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Appellate Defender, David Alexander, seeks a thirty day extension of time to file the initial brief of appellant and designation of matter. Based on that and his extremely heavy case load, as outlined in the motion, he was unable to complete the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lisa Campbell
Assistant Director
South Carolina Commission on
Indigent Defense