

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County

Howard P. King Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

AUG 09 2013

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

WAYNE STEWART CURRY,

APPELLANT

Appellate Case No. 2012-213370  
\_\_\_\_\_

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph B. Hayes in this Court on August 8, 2013. Counsel filed the record on appeal in the case of State v. Julia Gorman with this Court on August 6, 2013. Counsel filed the record on appeal in the case of State v. David Gerrard Johnson with this

Court on August 2, 2013. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Ryan Carl Newman with this Court on July 30, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Lee Nelson in this Court on July 29, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Connie Dumas (Cert in the COA) with the Supreme Court on July 25, 2013. Counsel filed the initial reply brief of appellant in the case of State v. Alex Hunsberger with this Court on July 25, 2013. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. John Bonner with the Court of Appeals on July 22, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marty Baggett in this Court on July 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Fullbright with this Court on July 16, 2013. Counsel filed the record on appeal in the case of State v. Malik Matthews in this Court on July 11, 2013. Counsel filed the petition for rehearing in the case of State v. Bobby Alexander Gilbert in this Court on July 11, 2013. Counsel filed the petition for writ of certiorari, the Johnson petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Michael Miller v. State with the Supreme Court on July 11, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Sanders v. The State of South Carolina with the Supreme Court on July 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Santiago Rios v. State with the Supreme Court on June 28, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Brown v. State with the Supreme Court on June 24, 2013. Counsel filed the initial brief of appellant and

designation of matter in the case of State v. Curtis Eugene Land with this Court on or before June 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jerod Swinton in this Court on June 18, 2013. Counsel had an oral argument in the case of State v. Anthony Lounds with this Court on June 12, 2013. Counsel had an oral argument in the case of State v. Willie Poole with this Court on June 11, 2013. Counsel had an oral argument in the case of State v. Bobby Gilbert in this Court on June 11, 2013. Counsel had an oral argument in the case of State v. Leslie Twyman with this Court on June 6, 2013.

3. This request is made in good faith, and not for purposes of delay.

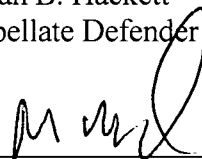
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,




Susan B. Hackett  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

August 9, 2013  
I DO NOT OPPOSE:

  
Salley W. Elliott, Esquire