

ORIGINAL

5th

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County

Diane Schafer Goodstein, Circuit Court Judge

RECEIVED
AUG 12 2013
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JABARI LINNEN,

APPELLANT

APPELLATE CASE NO. 2012-213026

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

The undersigned counsel respectfully requests a **final thirty-day extension until September 12, 2013**, 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, in which the appendix is over 10,000 pages. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell Brown v. State in the Supreme Court on Tuesday, August 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in

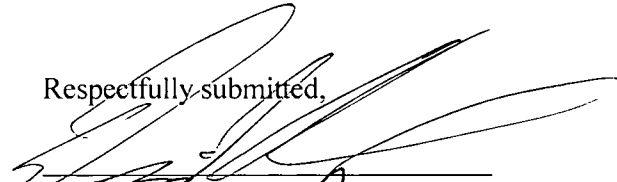
the case of Lord Byron Slater v. State in the Supreme Court on Monday, August 5, 2013. Also on Monday, August 5, 2013 counsel filed the brief of appellant and record on appeal in State v. Charles Anderson in this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Efrain Perez Martinez v. State in the Supreme Court on Thursday, August 1, 2013. Also on Thursday, August 1, 2013 counsel filed the petition for writ of habeas corpus in case of Curtis Simms v. State in the original jurisdiction of the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Paul Mahaffey in this Court on Monday, July 29, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy D. Portee v. State in the Supreme Court on Wednesday, July 17, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Steven Gregory Frost in this Court on Thursday, July 11, 2013. 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.

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.

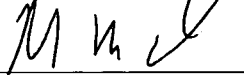
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until September 12, 2013**. 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.

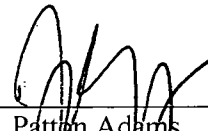
Respectfully submitted,



David Alexander
Appellate Defender



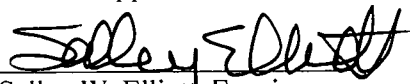
Robert M. Dudek
Chief Appellate Defender



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

August 12, 2013

I do not oppose:



Salley W. Elliott, Esquire