

ORIGIN

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Steven H. John, Circuit Court Judge

RECEIVED

JUN 18 2012

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

HENRY JERMAINE DUKES,

APPELLANT

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

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Counsel for Henry Jermaine Dukes petitions the Court for a **final thirty day extension, until July 18, 2012** in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the fourth extension for Mr. Dukes.
2. Counsel for Mr. Dukes 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 is preparing for three oral arguments to be argued this week. Counsel filed the petition for writ of certiorari to the Court of Appeals in Joseph Walker v. State and the Brief of Appellant in State v. Travell Hill on June 15, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Louie Alvoid Chapman on June 8, 2012. Counsel was called to testify in two PCR cases on June 7, 2012 in Greenwood, South Carolina. Counsel had two oral arguments this week. On June 4, 2012, counsel argued State v. Ronnie Blackmon in the Court of Appeals. On June 6, 2012, counsel

argued State v. John B. Campbell in the Court of Appeals. Counsel filed the petitions for writ of certiorari to the Court of Appeals in State v. Norman Lee Mitchell and State v. Robert Phipps on June 1, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Andre King v. State on May 23, 2012. Counsel was called to testify PCR Court in Orangeburg County on Monday, May 21, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Steven Collins v. State on May 17, 2012. Counsel filed the return to petition for writ of certiorari in Willis Weary v. State on May 14, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Quentin Gause on May 11, 2012. Counsel had an oral argument, on May 8, 2012.


4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a **final thirty day extension, until July 18, 2012** in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

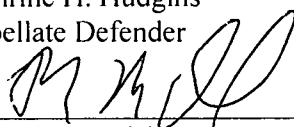
5. As indicated by signature below, Donald Zelenka, of the South Carolina Attorney General's Office, does not oppose this request.

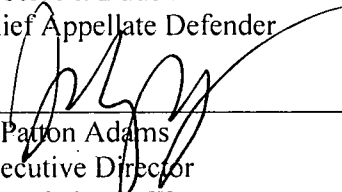
6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a **final thirty day extension, until July 18, 2012**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

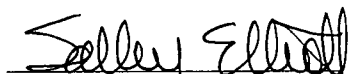
  
Kathrine H. Hudgins  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

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

June 18, 2012

I do not oppose:

  
Donald Zelenka