

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Greenville County

R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

SEP 05 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

EUGENE THOMAS,

APPELLANT

APPELLATE CASE NO. 2012-212968

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

Counsel respectfully requests an extension consistent with the rules for **Pool Cases** in which to file the Initial Brief of Appellant and Designation of Matter in this case. 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 September 20, 2013. I have discussed this case with the Chief Attorney and this will be a Rule 608 and CLE credit **Pool Case**. **I understand that this extension request for the New Pool Attorney will be until December 2, 2013.**

2. This case was assigned to Breen Stevens, whose last day with the Appellate Division was Friday, May 24, 2013. Undersigned counsel assumed Mr. Stevens' caseload effective May 28, 2013, and has been reassigned to handle the present case. On August 30, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Demarco Bell v. State


with the Supreme Court. On August 29, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Mackail Dawkins v. State with the Supreme Court. On August 23, 2013, counsel filed a brief of appellant and record on appeal in State v. Whitney Span with this Court. On August 13, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Donald E. Brown v. State with the Supreme Court. On August 2, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Solomon Smith v. State with the Supreme Court. On July 31, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Kenneth Odell Jackson with this Court. On July 26, 2013, counsel filed a brief of appellant and record on appeal in State v. Frederick Flowers with this Court. On July 22, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in John G. Kimble v. State with the Supreme Court. On July 19, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Michael C. Andes with this Court. On July 12, 2013, counsel filed a brief of appellant and record on appeal in State v. Billy Roy Boyd with this Court. On July 8, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Carl B. Craine v. State with the Supreme Court.

3. 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.

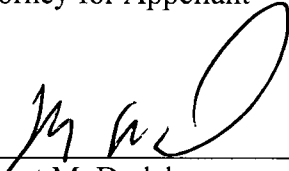
5. Counsel for the Attorney General's office consents to this request shown by signature below.

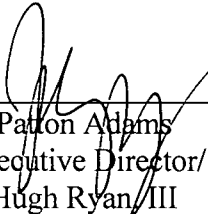
WHEREFORE, the undersigned counsel would respectfully request an extension consistent with the rules for **Pool Cases until December 2, 2013**, in which to file the initial brief of appellant and designation of matter in this case.

Respectfully submitted,

  
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Benjamin J. Tripp  
Appellate Defender

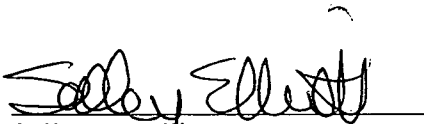
Attorney for Appellant

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

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

This 5th day of September, 2013

I consent:

  
\_\_\_\_\_  
Salley W. Elliott