

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Certiorari to Beaufort County

Carmen T. Mullen, Circuit Court Judge

RECEIVED

SEP 05 2013

COURT of Appeals

THE STATE,

RESPONDENT,

V.

PHILLIP SINGLETON

APPELLANT

APPELLATE CASE NO. 2011-204266

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

\_\_\_\_\_  
The undersigned 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 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 September 13, 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.**

1. The Court has granted counsel four previous extensions.

2. Counsel for Phillip Singleton 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 filed the petition for writ of certiorari and accompanying appendix in the case of Justin A. Austin v. State of South Carolina with the Supreme Court on September 3, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Cedric Kearsce v. State of South Carolina with the Supreme Court on September 3, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Donna Lynn Phillips with this Court on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Eugene Patterson with the Supreme Court on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Alonza Dennis with the Supreme Court on August 21, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George Grant, Jr. v. State of South Carolina with the Supreme Court on August 21, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Christopher Taft with this Court on August 20, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Frank Grant v. State of South Carolina with the Supreme Court on August 16, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Bobby Russell with this Court on August 15, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State and accompanying appendix in the case of Braheim J. Hill v. State of South Carolina with the Supreme Court on August 7, 2013. Counsel filed the amended initial brief of appellant and designation of matter in the case of In the Interest of Shemar V., a Minor with this Court on August 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kelvin Pearson v. State of South Carolina with the Supreme Court on August 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of Shemar V., a Minor with the Court of Appeals on July 31, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon Walker v. State of South Carolina with the Supreme Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jonathan Lisle v. State of South Carolina with the Supreme Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Ivan Aiken v. State of South Carolina with the

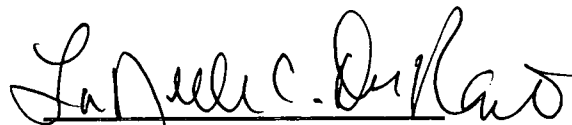
Supreme Court on July 26, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Edward Stahlnecker v. State of South Carolina with the Supreme Court on July 26, 2013. Counsel filed the petition for rehearing in the case of The State v. John Peter Barnes with this Court on July 25, 2013. Counsel filed the petition for rehearing in the case of The State v. David Jakes with this Court on July 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Douglas J. Mayes, with this Court on July 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Lee Rose v. State of South Carolina with the Supreme Court on July 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Henry Lee Bradley v. State of South Carolina with the Supreme Court on July 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Keon Butler with this Court on July 10, 2013.

4. 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.

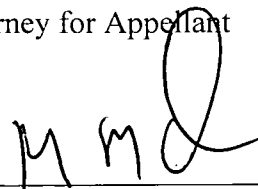
WHEREFORE, the undersigned counsel would respectfully request a **final extension until December 2, 2013**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

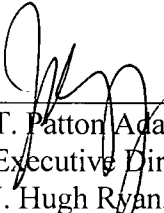


LaNelle C. Durant  
Appellate Defender

Attorney for Appellant



Robert M. Dudek  
Chief Appellate Defender

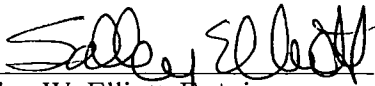


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T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

This 5ht day of September, 2013.

I consent:



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Salley W. Elliott, Esquire