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ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

J. Derham Cole, Circuit Court Judge

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SEP 06 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ALPHONSO CHAVES THOMPSON,

APPELLANT

Appellate Case No. 2012-213141

PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER **AS POOL CASE**

The undersigned counsel respectfully requests an extension for this pool case in which to file the initial brief of appellant and designation of matter in the above-referenced case **until December 2, 2013 consistent with the rules for pool cases** in the Appellate Project. The brief is presently otherwise would be due on September 23, 2013. 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 on September 23, 2013.
2. Counsel yesterday filed a merit brief in the murder case of State v. John Hogan with this Court. Counsel is working on the case of Marion Bowman v. State, a **death penalty** case in the Supreme Court with a 10,000 page appendix. Counsel filed the initial brief of

appellant and designation of matter in the case of State v. Charles M. Harris in this Court on August 14, 2013. Counsel filed both the initial brief of appellant and designation of matter, and the initial brief of respondent and designation of matter, in the cross-appeal case of State v. Anthony Blakney in this Court on August 7, 2013. Counsel filed the initial brief of appellant (three issue merits brief) and designation of matter in the case of State v. Jason Bauman in this Court on August 2, 2013. Counsel filed a petition for writ of habeas corpus in the Supreme Court's original jurisdiction and accompanying appendix with Co-Counsel David Alexander and Susan Hackett in the case of State v. Curtis Simms in the Supreme Court on August 1, 2013. Counsel went to Allendale Correctional Institution to meet with Juan Orozco regarding the case of State v. Juan Orozco in the Supreme Court on July 31, 2013. Counsel filed the brief of petitioner in the **death penalty** case of John Edward Weik v. State in the Supreme Court on July 30, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Thomas in this Court on July 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Wayne Mitchell in this Court on July 19, 2013. Counsel filed the initial brief of appellant and designation of matter in the murder case of State v. Edward W. Stackhouse, as well as the petition for rehearing in the case of State v. Manuel Antonio Marin, with Co-Counsel David Alexander, both in this Court on July 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Richey Lamont Boyd in this Court on July 12, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the **death penalty** case of State v. Stephen Stanko in the United States Supreme Court on July 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derell Green in this Court on June 28, 2013. Counsel filed the brief of petitioner in the case of State v. Beulah Butler in the Supreme Court on

June 24, 2013. Counsel had an oral argument in the case of State v. Anthony Wade in the Supreme Court on June 19, 2013. Additionally, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Christopher M. Stephens (from the COA) in the Supreme Court on June 19, 2013. Counsel filed a motion to appoint outside counsel in the case of Domonique Brown v. State in the Supreme Court on June 13, 2013. Counsel had an oral argument in the case of In the Interest of Brandon M., a Minor in this Court on June 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Osles Cunningham in this Court on June 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Miller, as well as the petition for rehearing in the case of State v. Kendrick Taylor, both in this Court on June 6, 2013. Counsel had an oral argument in the case of State v. Charles Pennell in this Court on June 5, 2013. In addition, Counsel filed the return to the motion for outside counsel in the **death penalty** case of Freddie Owens v. State, and the notice of supplemental authority in the **death penalty** case of James Robertson v. State, both in the Supreme Court on June 5, 2013. Counsel had oral arguments in the cases of State v. Dondre Scott and State v. Rashaun Sobers in this Court on June 4, 2013.

**Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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

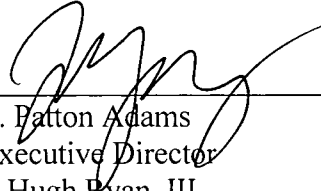
WHEREFORE, the undersigned counsel would respectfully request an extension in this pool case until December 2, 2013 in which to file the initial brief and designation of matter on appeal. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

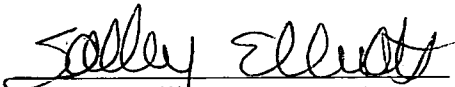


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T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

September 6, 2013

I DO NOT OPPOSE:



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Salley W. Elliott