

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Certiorari to Horry County
Edward B. Cottingham, Circuit Court Judge

RECEIVED

SEP 12 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ROBERT LIVINGSTON,

APPELLANT

APPELLATE CASE NO. 2013-000071

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

Counsel for Robert Livingston respectfully requests a **final thirty (30) day extension, until October 12, 2013**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fifth request for an extension. 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 today. The Court has granted counsel four previous extensions.

2. Counsel for Robert Livingston 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 has an oral argument in the case of The State v. Kristopher Wilmont Berry in this Court today. Counsel had an oral argument in the case of The State v. Karl Ryan Lane in this on September 11, 2013. Counsel filed the initial reply brief in the case of The State v. Eric E. Hewins with this Court on September 5, 2013. Counsel filed the initial reply brief of appellant in the case of The State v. Taurus Lamare Thompson with this Court on September 3, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Peter J. Grant 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 Clyde L. McBride v. State of South Carolina with the Supreme Court on August 28, 2013. Counsel filed the return to motion to dismiss in the case of The State v. Randy Jarrod Crosby with this Court on August 26, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Darrell Birch with this Court on August 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Charles Hammons with this Court on August 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Larry T. Perry with this Court on August 23, 2013. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Jo Pradubsri with the Supreme Court on August 21, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brandon L. Ray v. State of South Carolina, with the Supreme Court on August 14, 2013. Counsel filed the brief of petitioner in the case of Ricky Dale Gilstrap v. State of South Carolina, with the Supreme Court on August 5, 2013. Counsel filed the initial reply brief of appellant and designation of matter in the case of The State v. Donald Marquice Anderson with this Court, on July 30, 2013. Counsel filed the initial reply brief of appellant and designation of matter in the case of The State v. Marcus Daniel Allison with this Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronald Cohens v. State of South Carolina with the Supreme Court on July 24, 2013. Counsel filed petition for writ of certiorari in the case of Donald C. Brevard v. State of South Carolina with this Court on July 17, 2013. Counsel filed the petition for rehearing in the case of The State

v. Richard Burton Beekman with this Court on July 11, 2013. Counsel filed the petition for rehearing in the case of The State v. David Tyre with this Court on July 11, 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.

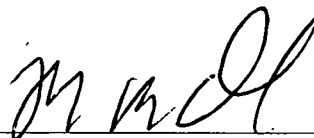
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until October 12, 2013**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

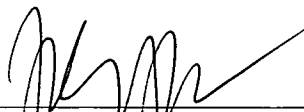


Carmen V. Ganjehsani
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 12th day of September, 2013.

I consent:


For Salley W. Elliott, Esquire