

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Charleston County
Kristi Lea Harrington Circuit Court Judge

RECEIVED

SEP 18 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MARVIN BOWENS GREEN (2),

APPELLANT

Appellate Case No. 2012-212739

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

Counsel respectfully requests a **final thirty (30) day extension, until October 16, 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 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 a petition for rehearing in the case of State v Anthony T. McWilson in the Supreme Court on September 13, 2013. Counsel filed a petition for rehearing in the case of State v Thomas Smith in this court on September 12, 2013. Counsel filed the final brief of appellant in the case of State v Alexander L. Hunsberger in this court on September 10, 2013. Counsel filed a brief of appellant


and record on appeal in the case of State v. Braquette Wykina Walton in this court on September 5, 2013. Counsel filed a reply brief in the case of State v Clarence Jenkins in this court on August 29, 2013. Counsel filed the Return to petition to writ of certiorari in the case of State v. Matthew Taylor in the Supreme Court on August 28, 2013. Counsel filed the brief of respondent in the case of Sandra Richardson v. State in this court on August 26, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix Tyrone Singletary v. State with the Supreme Court August 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brian Jenkins in this court on August 21, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case Eunice McCall v. State in the Supreme Court on August 19, 2013. Counsel participated in the reconstruction hearing in the case of State v. Hascale Simmons in Beaufort County on August 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Wayne Stewart Curry in this court on August 15, 2013. Counsel testified before the Commission on Lawyer Conduct in the Calhoun building on August 14, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Anthony Hackshaw (Cert in the COA) in the Supreme Court on August 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph B. Hayes in in this court on August 8, 2013. Counsel filed the initial brief of appellant in the case of State v. Ryan Carl Newman with in this court on July 30, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Lee Nelson in this court on July 29, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Connie Dumas (Cert in the COA) with the Supreme Court on July 25, 2013. Counsel filed the initial reply brief of appellant in the case of State v. Alex Hunsberger with in this court on July 25, 2013. Counsel filed the initial brief of appellant in the case of State v. John Bonner with in this court on July 22, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marty Baggett in this court on July 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Fullbright with in this court on July 16, 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.

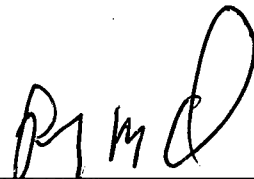
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until October 16, 2013**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

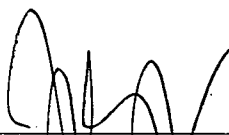
Respectfully submitted,



Susan B. Hackett
Appellate Defender



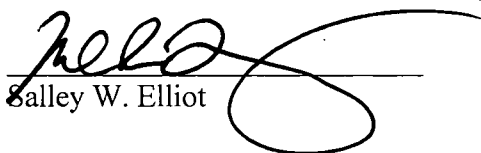
Robert M. Dudek
Chief Appellate Defender



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

September 16, 2013

I DO NOT OPPOSE:



For Salley W. Elliot