

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Greenwood County
D. Garrison Hill, Circuit Court Judge

RECEIVED

OCT - 3 2013

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

JAMES CARRIER,

APPELLANT

APPELLATE CASE NO. 2012-212777

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a **final thirty-day extension, until November 4, 2013**, in which to file 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 today. **Counsel understands that this extension request exceeds the number of requests normally allowed by the Court. Counsel has discussed this request with Chief Appellate Defender Robert M. Dudek.** Counsel understands that the last extension request was a final extension request. Unfortunately, counsel was unable to complete the initial brief as planned. The case presents several legal issues, at least one of which is novel. In order to effectively represent her client, counsel needs more time to adequately research and prepare the initial brief.

2. On Wednesday, September 25, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rickey Hewins Mack. On Friday, September 20, 2013,

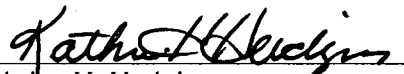
counsel attended the Gideon Conference in Charleston, South Carolina. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jessica Beockete Moore on Monday, September 23, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23rd and 24th of 2013. On Tuesday, September 17, 2013, counsel had oral argument in this Court in the case of State v. Wesley Smith. On Friday, September 13, 2013, counsel filed the petition for rehearing in The State v. Alirio Ortis. On Thursday, September 12, 2013, counsel filed the petition for rehearing In the Interest of Justin B., a minor under the age of seventeen. On Wednesday, September 11, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Robert M. Jones. On Tuesday, September 10, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Frankie Lee McGee. On Monday, September 9, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Frederick R. Chappell. On Tuesday, September 3, 2013, counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of D'el Grant v. State. On Wednesday, August 21, 2013, counsel filed Johnson petition for writ of certiorari and accompanying appendix in the case of Harold Orr v. State. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Mykel Johnson on Monday, August 19, 2013. Also on Monday, August 19, 2013 counsel filed the initial reply brief in the case of State v. Julio Angelo Hunsberger. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Brandon Green on Wednesday, August 14, 2013. Also on Wednesday, August 14, 2013 counsel filed the petition for writ of certiorari and accompanying appendix in Bobby Pyke v. State. On Tuesday, August 13, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Anthony M. Brown v. State.


3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with greater extension requests first so that the caseload will

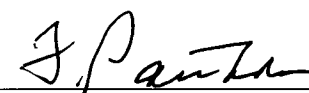
hopefully become more manageable in the near future, and less extensions will need to be requested.

The undersigned counsel respectfully requests a **final thirty-day extension, until November 4, 2013**. 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,

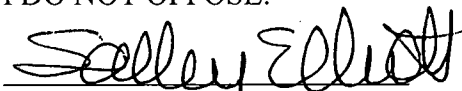

Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


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

October 3, 2013

I DO NOT OPPOSE:


Salley W. Elliott, Esquire