

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Lancaster County

D. Craig Brown, Circuit Court Judge

RECEIVED

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THE STATE,

SC Court of Appeals
RESPONDENT,

V.

INDIA SOWELL,

APPELLANT

APPELLATE CASE NO. 2012-213675

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

Counsel for India Sowell respectfully requests an extension of thirty (30) days 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 third 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 two previous extensions.

2. Counsel for India Sowell 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 initial brief of appellant and designation of matter in the case of The State v. Daniel Demond Griffin with this Court on October 4, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tavarus Lee Rogers v. State of South Carolina with the Supreme Court on October 3, 2013. Counsel had an oral argument in the case of Clarence Robinson v. State of South Carolina in the Supreme Court on October 1, 2013. Counsel filed the initial reply brief of appellant and designation of matter in the case of Andrew James Harrelson v. State of South Carolina with this Court on September 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wayne McLaughlin v. State of South Carolina with the Supreme Court on September 19, 2013. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Anthony Martin with the Supreme Court on September 18, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Anthony Martin with the Supreme Court on September 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frederick Jeter v. State of South Carolina with the Supreme Court on September 10, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fardarrell L. Hudgens v. State of South Carolina with the Supreme Court on September 10, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keena Lamont Rivers v. State of South Carolina with the Supreme Court on September 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of Verntirell Dukes v. State of South Carolina with this Court on September 6, 2013. 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 Kearsse 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 this Court on July 31, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case

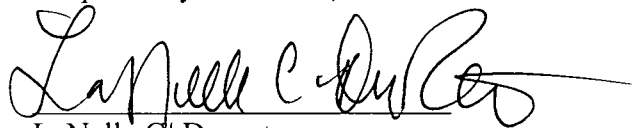
of Leon Walker v. State of South Carolina with the Supreme Court on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jonathan Lisle v. State of South Carolina with the Supreme Court on July 30, 2013. Counsel filed the petition for writ of certiorari 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.

4. Counsel makes this request in good faith and not for purpose of delay.

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

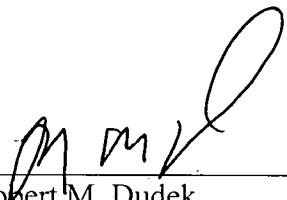
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "LaNelle C. Durant", with a long horizontal flourish extending to the right.

LaNelle C. Durant
Appellate Defender

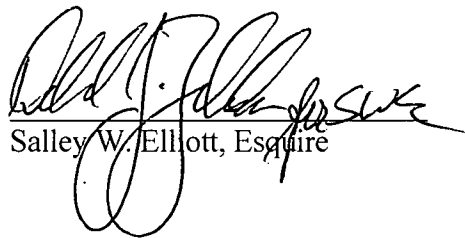
Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender

This 7th day of October, 2013.

I consent:



Salley W. Elliott, Esquire