

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

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SC Court of Appeals

THE STATE,

RESPONDENT,

v.

AKEEM O. SMITH,

APPELLANT

APPELLATE CASE NO. 2012-213518

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

The undersigned counsel respectfully requests a **final thirty day extension, until December 4, 2013**, in which to file the 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.
2. On Friday, November 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery T. Lucas v. State in the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony

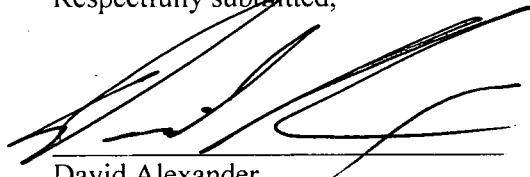
Jackson in this Court on Wednesday, October 30, 2013. Also on Wednesday, October 30, 2013 counsel filed the initial brief of appellant and designation of matter in the case of State v. Breon Jacoby Mayers. On Monday, October 21, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Anthony Martucci v. State in the Supreme Court. On Friday, October 18, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bowman v. State in the Supreme Court in which the appendix was over 10,000 pages. On Wednesday, October 16, 2013, counsel had an oral argument in the South Carolina Supreme Court in the case of State v. Robert Watkins. Counsel filed the initial reply brief of appellant in the case of State v. Edward M. Dunn in this Court on Friday, September 27, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23rd, 24th, and 25th of 2013. Counsel filed the petition for rehearing in the Supreme Court in Richard Sims v. State on Friday, September 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Harry Anthony in this Court on Tuesday, September 10, 2013. Also on Tuesday, September 10, 2013 Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Watson v. State in the Supreme Court. Counsel filed the reply to the return to the petition for writ of certiorari in the Supreme Court in Brenda Gail Cutro v. State on September 3, 2013.

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.

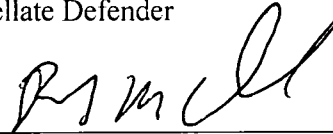
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until December 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.

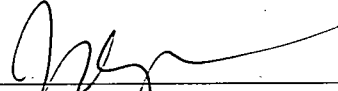
Respectfully submitted,



David Alexander
Appellate Defender



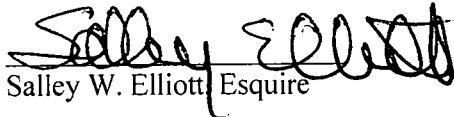
Robert M. Dudek
Chief Appellate Defender



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

November 4, 2013

I do not oppose:



Salley W. Elliott Esquire