

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County

Deadra L. Jefferson, Circuit Court Judge

ORIGINAL
RECEIVED
JUN 21 2012
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TITO HARRIS,

APPELLANT

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

The undersigned counsel respectfully requests a **final thirty day extension, until July 23, 2012**, 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. Counsel had an oral argument in the case of State v. Christopher Ryan Whitehead in this Court on June 19, 2012. Counsel filed the petition for rehearing in the case of State v. Robert S. Jolly in this Court on June 15, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Brandon M. with this Court on June 13, 2012, arguing a directed verdict of acquittal should be issued. Counsel filed the petition for writ of certiorari in Jerry Buck Inman v. South Carolina with the Supreme Court of the United States on June 11, 2011.

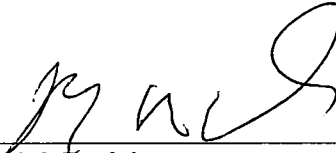
Counsel filed the brief of petitioner in the case of State v. Tracy Baker with the Supreme Court on June 8, 2012. Counsel had an oral argument in the case of State v. Tommy Toomer in this Court on Wednesday, June 6, 2012. Counsel is currently working on four death penalty cases: Jerry Buck Inman v. South Carolina, (PCR application) Richard Bernard Moore v. State, (certiorari from PCR) Marion Alexander Lindsey v. State, (certiorari from PCR) and James Robertson v. South Carolina (Stay of execution in federal court to pursue certiorari in the State Supreme Court). Counsel filed the brief of appellant in State v. Andre T. Richardson with this Court on June 1, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Justin O. Byers v. State with the Supreme Court on May 25, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tyrone Ransom v. State with the Supreme Court on Thursday, May 24, 2012. Counsel filed the petition for writ of certiorari in Michael Joseph Fleming v. State with the Supreme Court on Wednesday, May 23, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Ricky Shane Black with this Court on May 21, 2012. Counsel met with a client at Lieber Correctional Institution on Thursday, May 17, 2012. Counsel filed the brief of petitioner in State v. Gene Tony Cooper with the Supreme Court on May 14, 2012. Counsel also filed the petition for writ of certiorari and accompanying appendix in Tyrone Lewis, Jr. v. State with the Supreme Court on May 14, 2012. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender, including a staff meeting this morning.

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.

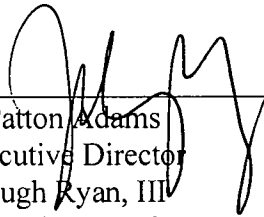
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until July 23, 2012**. 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,



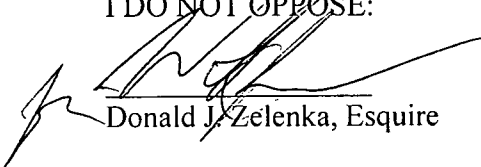
Robert M. Dudek
Chief Appellate Defender



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

June 21, 2012

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire