

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

CRIMINAL

Appeal from Dorchester County
Edgar W. Dickson, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

MELVIN HAYNES,

APPELLANT

RECEIVED

NOV 18 2013

SC Court of Appeals

APPELLATE CASE NO. 2013-000438

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

Counsel for Melvin Haynes 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 fourth 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 three previous extensions.

2. Counsel for Melvin Haynes 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 for Appellant submits that the following extraordinary circumstances exist warranting counsel's request for a fourth extension. Counsel is today filing in the case of Pelzer v. State a Petition for Writ of Certiorari with the S.C. Supreme**

Court in a post-conviction relief appeal. The Appendix in that case is 1091 pages. In addition, counsel is working on four cases due before the Thanksgiving holiday: a Brief of Petitioner to be filed with the S.C. Supreme Court in State v. Murray; a Petition for Writ of Certiorari to be filed with the S.C. Supreme Court in State v. Beekman; a Petition for Writ of Certiorari to be filed with the S.C. Supreme Court in Martin v. State (Appendix of 1475 pages); and an Initial Brief of Appellant to be filed with this Court in State v. Rivers. Counsel filed the reply to the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Derek S. Carter with the Supreme Court on November 12, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Tyre with the Supreme Court on November 8, 2013. Counsel filed the initial brief of appellant in the case of The State v. Fred Woodrow Cribb with this Court on November 6, 2013. Counsel filed the initial reply brief of appellant in the case of The State v. Christopher Miller with this Court on October 31, 2013. Counsel attended and participated in the CLE Seminar regarding the Presentation of Criminal Appeals to the Court of Appeals on October 24, 2013). Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Orlando Shiver v. State of South Carolina with the Supreme Court on October 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Elizabeth M. Dinkins with this Court on October 18, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Randy Elders v. State of South Carolina with the Supreme Court on October 16, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Heyward Davis v. State of South Carolina with the Supreme Court on October 14, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Heyward Davis v. State of South Carolina with the Supreme Court on October 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Conrad Slocumb with this Court on October 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Robert Livingston with this Court

on October 11, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Elenie Isham Parker v. State of South Carolina with the Supreme Court on October 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Daniel F. Miles with this Court on October 3, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Clarence Puckett, II with this Court on September 23, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Linwood Carson v. State of South Carolina with the Supreme Court on September 18, 2013. Counsel had an oral argument in the case of The State v. Kristopher Wilmont Berry in this Court on September 12, 2013. Counsel had an oral argument in the case of The State v. Karl Ryan Lane in this Court on September 11, 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.

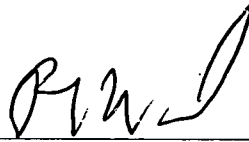
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

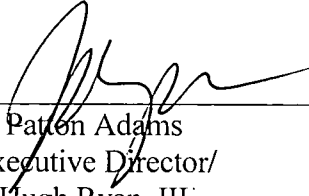


Carmen V. Ganjehsani
Appellate Defender

Attorney for Appellant



Robert M. Dudek
Chief Appellate Defender



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

This 18th day of November, 2013.

I consent:

For 
Salley W. Elliott, Esquire