

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Greenville County

C. Victor Pyle, Jr., Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

DEC 23 2013

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

WILLIAM JOSEPH PHILLIPS,

APPELLANT

Appellate Case No. 2013-001339  
\_\_\_\_\_

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

The undersigned counsel respectfully requests a thirty (30) day extension 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 on January 2, 2013.

2. The undersigned counsel was appointed to this matter on October 23, 2013. The undersigned counsel is involved in a civil trial that began on October 21, 2013, and is ongoing. The current status of this trial indicates that the case will likely end during the third week of January 2014.

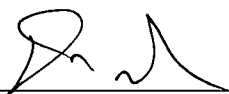
3. This request is made in good faith, and not for purposes of delay.

*ATIB 2nd*

4. I have spoken with Don Zelenka, counsel for the state, and he has no objections to this extension request or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. 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.

**NELSON MULLINS RILEY & SCARBOROUGH LLP**

By:  \_\_\_\_\_

David L. Paavola  
SC Bar No. 100714  
E-Mail: david.paavola@nelsonmullins.com  
1320 Main Street / 17th Floor  
Post Office Box 11070 (29211-1070)  
Columbia, SC 29201  
(803) 799-2000

**SOUTH CAROLINA COMMISSION ON INDIGENT  
DEFENSE**

Robert M. Dudek  
E-Mail: RDudek@sccid.sc.gov  
1330 Lady Street, Suite 401  
PO Box 11589  
Columbia, SC 29201-1589  
(803) 734-1330

**Attorneys for Appellant William Joseph Phillips**

December 20, 2013.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Greenville County  
C. Victor Pyle, Jr., Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**  
DEC 23 2013  
**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

WILLIAM JOSEPH PHILLIPS,

APPELLANT

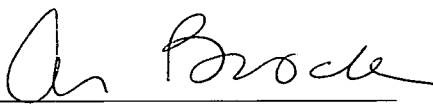
Appellate Case No. 2013-001339

\_\_\_\_\_  
PROOF OF SERVICE  
\_\_\_\_\_

I, the undersigned of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Respondent, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following addressees:

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

Counsel Served: Donald J. Zelenka, Esquire  
State of South Carolina, Office of the Attorney General  
Rembert Dennis Building  
1000 Assembly Street; Room 519  
Columbia, SC 29201

  
\_\_\_\_\_  
Ann B. Brock  
Paralegal

December 20, 2013.

# Nelson Mullins

Nelson Mullins Riley & Scarborough LLP  
Attorneys and Counselors at Law  
1320 Main Street / 17th Floor / Columbia, SC 29201  
Tel: 803.799.2000 Fax: 803.256.7500  
www.nelsonmullins.com

David L. Paavola  
Tel: 803.255.9353  
david.paavola@nelsonmullins.com

December 20, 2013

RECEIVED  
DEC 23 2013  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

RE: The State v. William Joseph Phillips  
Appellate Case No. 2013-001339  
Our File No.: 38769.01521

Dear Ms. Kitchings:

Enclosed please find the original and two copies of the Petition for Extension to File Initial Brief of Appellant and Designation of Matter, together with Proof of Service in the above-referenced action. We would appreciate your filing the original and returning a filed copy to us in the envelope provided.

By copy of this letter to counsel of record, we are serving them with copies of the same.

Very truly yours,



David L. Paavola

DLP:abb

Enclosures

cc: Donald J. Zelenka, Esquire  
Robert Dudek, Esquire  
William Joseph Phillips