

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Carmen Mullen, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

PHILLIP DUSTIN SINGLETON,

APPELLANT

Appellate Case No. 2011-204266

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

RECEIVED

JAN 09 2014

SC Court of Appeals

The undersigned counsel respectfully requests a sixty 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 were due to be served and filed on December 2, 2013.
2. Defendant was granted an extension until January 2, 2014 to serve and file the initial brief of the appellant and designation of matter in this case.
3. In December 2013, I was made aware that the Defendant signed a plea agreement on March 7, 2012, wherein he waived his right of direct appeal on this matter.

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01/02/14
03/03/14


4. On December 19, 2013 and December 30, 2013, I forwarded a Drop Affidavit to Defendant for his signature. To date, I have not received the signed Affidavit; however, I have made contact with his family and I do anticipate that the Defendant would like to move forward with dropping his appeal.

5. Given the circumstances, I am requesting a sixty day extension in order for the Defendant to withdraw his appeal.

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

WHEREFORE, the undersigned counsel would respectfully request a sixty 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.

Respectfully submitted,


Jamie DeMint
Attorney at Law

January 6, 2013.

Appeal from Beaufort County

Carmen Mullen, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

PHILLIP DUSTIN SINGLETON,

APPELLANT

Appellate Case No. 2011-204266


AFFIDAVIT OF SERVICE

Personally appeared before me, Daysha Bonner, who after being duly sworn deposes and says that she is the paralegal for Jamie Demint, attorney for the Appellant in the above entitled case. That on January 16, 2014, she did deposit in the United States Mail with proper postage affixed thereto, three copies of the Petition for Extension to File Initial Brief of Appellant and Designation of Matter in the above case addressed to Allen Myrick, Office of the Attorney General, P.O. Box 11549, Columbia, SC, 29211.

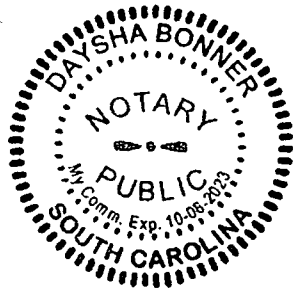


Daysha Bonner

Sworn to and subscribed before me
this 6th day of January, 2014.



Notary Public State of South Carolina
My Commission Expires: _____



Jamie R. DeMint
ATTORNEY
jdemint@deminthowe.com



Jennifer Breaux Howe
ATTORNEY
jhowe@deminthowe.com

January 6, 2014

Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: The State vs. Phillip Dustin Singleton
Appellate Case No. 2011-204266

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Petition for Extension of to File Initial Brief of Appellant and Designation of Matter in regards to the above-referenced matter.

Please file the original with the Court and return the clocked copies to me in the enclosed self-addressed, stamped envelope.

Should you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daysha Bonner", with a large, sweeping flourish extending to the left.

Daysha Bonner
Paralegal

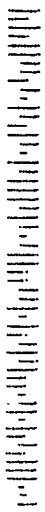
:db
Enclosure

cc: Allen Myrick, Esquire

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JAN 09 2014

SC Court of Appeals



505 Pettigru Street
Greenville, SC 29601

Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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