

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Aiken County

Doyet A. Early III, Circuit Court Judge

RECORDED

JAN 13 2014

Court of Appeals

THE STATE,

RESPONDENT,

V.

WILLIAM POU,

APPELLANT

APPELLATE CASE NO. 2012-213617

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

The undersigned counsel respectfully requests a **final twelve day extension, until January 24, 2014**, 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. Counsel was scheduled to be at a PCR hearing today in Charleston today in Richard Deas v. State and therefore worked on reply brief of petitioner in the case of John Edward Weik v. State, a death penalty case which was due today in the Supreme Court. Counsel filed that reply brief on Friday, January 10, 2014 since he had to be in Charleston for a PCR hearing today. Counsel learned late Friday afternoon that the PCR hearing

AIB 6th

would have to be continued because of an outbreak of the flu at Lee Correctional Institution where the client is apparently housed. *Counsel will make every effort to file this initial brief no later than Thursday January 24, 2014.*

2. As stated, counsel filed a reply brief of petitioner in the case of John Edward Weik v. State, a death penalty case in the Supreme Court on Friday, January 10, 2014. Counsel had an oral argument in the case of State v. Michael Rogers in this Court on Tuesday, January 7, 2014. Counsel filed the brief of appellant in the case of State v. Curtis Simms in the Supreme Court on December 27, 2013. Counsel had an oral argument in the case State v. Nicholas Brannon on December 16, 2013 in this Court. Counsel filed an initial brief of appellant in the case of State v. Albert Brandeberry on December 11, 2013 in this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Gunter v. State on November 27, 2013 in the Supreme Court. Counsel filed the initial reply brief of appellant in the case of State v. Bobbie McCann in this Court on November 26, 2013. Counsel filed the initial brief of appellant in the case of State v. Arthur James Buie in this Court on November 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Manual Antonio Marin (in the COA) with co-counsel David Alexander in the Supreme Court on November 21, 2013. Counsel had an oral argument in the case of State v. Beulah Butler in the Supreme Court on November 20, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Sharon Smith v. State in the Supreme Court on November 15, 2013. Counsel filed the return to the petition for rehearing in the case of State v. Steven Barnes, a death penalty case in the Supreme Court on November 14, 2013. Counsel had an oral argument in the case of State v. Jamaal Hinson with co-counsel Reid T. Sherard of Nelson Mullins in this Court on November 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Irby in this Court on November 8, 2013. Counsel filed the initial brief

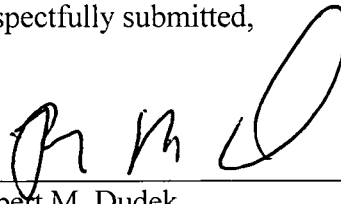
of appellant and designation of matter in the case of In the Interest of James F., A Juvenile Under the Age of Seventeen in this Court on November 6, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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.

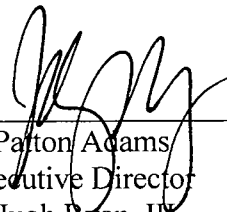
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final twelve day extension, until January 24, 2014**. 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

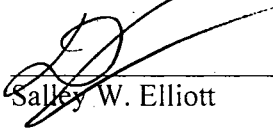


T. Patton Adams
Executive Director
J. Hugh Ryan, III
General Counsel

January 13, 2014

I DO NOT OPPOSE:

ju


Salley W. Elliott