

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Hampton County  
Perry M. Buckner, Circuit Court Judge

---

THE STATE,

**ORIGINAL**  
**RECEIVED**  
APR 27 2012  
**SC Court of Appeals**  
RESPONDENT,

V.

JOSEPH DAVIS,

APPELLANT

---

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

---

Counsel for Joseph Davis respectfully requests a **final extension of twenty (20) business days until May 25, 2012** 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 final 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 five previous extensions. Counsel had requested a prior extension he intended to be the last but subsequent events—including an oral argument—prevented counsel from meeting this deadline.

2. Counsel for Mr. Davis 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 his caseload, counsel hopes that no further extension requests will be required.

3. On April 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brittany Johnson in this Court. On April 20, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Chavis Pullen in this Court. On April 18, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Juan Ramos v. State and Roger Legette v. State in the Supreme Court. On April 12, 2012, counsel filed the amended initial brief of appellant and designation of matter in the case of State v. Brandon Simmons in this Court and had an oral argument in the case of State v. Edward Twyman in this Court. On April 9, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Dana Merritt v. State in the Supreme Court. On April 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Joseph Cobb in this Court. On April 4, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Timothy Hester v. State in the Supreme Court. On March 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Samuel Dingle in this Court. On March 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Rogers in this Court. On March 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bernaldino Ocasio in this Court. On March 16, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Watson in this Court. On March 12, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Claude Jones v. State in the Supreme Court. On March 5, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Allen Capers and the brief of petitioner in the case of State v. Jason Black in the Supreme Court.

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.

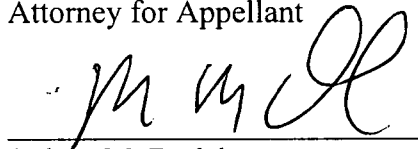
WHEREFORE, the undersigned counsel would respectfully request a **final twenty (20) business day extension until May 25, 2012** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

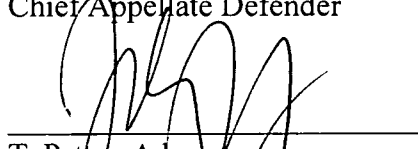


Breen R. Stevens  
Appellate Defender

Attorney for Appellant



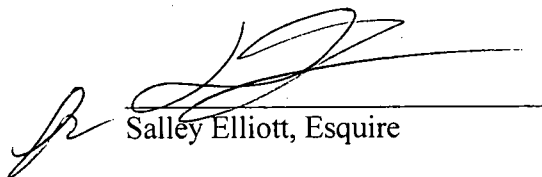
Robert M. Dudek  
Chief Appellate Defender



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

This 27th day of April, 2012.

I consent:



Sally Elliott, Esquire