

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Newberry County
Frank R. Addy, Circuit Court Judge

SC Court of Appeals

MAR 17 2014

RECEIVED

THE STATE,

RESPONDENT,

v.

VERNON JACOB LIVINGSTON,

APPELLANT

Appellate Case No. 2013-000541

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

The undersigned counsel respectfully requests a thirty 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 today.

2. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Karl Ryan Lane with the Supreme Court on March 13, 2014. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Travis McKie v. State of South Carolina with the Supreme Court on March 7, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis McKie v. State of South Carolina with the Supreme Court on March 7, 2014. Counsel filed the initial brief of appellant

and designation of matter in the case of The State v. Dan Temple with this Court on March 5, 2014. Counsel filed the petition for writ of certiorari in the case of Steven Michael LeCroy v. State of South Carolina with the Supreme Court on February 27, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Hubert Brown with this Court on February 26, 2014. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Linwood Carson v. State of South Carolina with the Supreme Court on February 10, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Abraham Kelty v. State of South Carolina with the Supreme Court on February 2, 2014. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Ashley Eugene Moore with the Supreme Court on January 27, 2014. Counsel filed the initial reply brief in the case of The State v. James Harris with this Court on January 23, 2014. Counsel filed the initial reply brief in the case of The State v. Elizabeth M. Dinkins with this Court on January 23, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of Kemon P., a Minor Under the Age of Seventeen with the Supreme Court on January 22, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Darrell Birch with this Court on January 21, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Derrick Tyrone Blake v. State of South Carolina with the Supreme Court on January 17, 2014. Counsel filed a petition for writ of certiorari in the case of The State v. Anthony T. Williamson with the United States Supreme Court on January 16, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy Charles Kendall, III v. State of South Carolina with the Supreme Court on January 15, 2104.

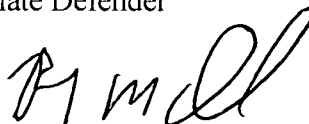
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty 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,




Carmen V. Ganjehsani
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

March 17, 2014

I DO NOT OPPOSE:



Salley W. Elliott, Esquire

FR