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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

March 24, 2014

RECEIVED

MAR 24 2014

SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Dear Ms. Kitchings:

In absence of Hugh Ryan, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Patton Adams, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Chief Appellate Defender, Robert M. Dudek, seeks a thirty day extension of time to file the initial brief of appellant and designation of matter. Based on that and his extremely heavy case load, as outlined in the motion, he was unable to complete the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lisa Campbell  
Assistant Director  
South Carolina Commission on  
Indigent Defense

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Florence County

Thomas A. Russo, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

MCIVER REMBERT FEAGIN,

APPELLANT

APPELLATE CASE NO. 2012-213695

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

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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 is presenting a PowerPoint on "Handling Evidentiary Issues" at the Best Practices Seminar in Charleston, S.C. on Monday, March 24, 2014. Counsel is working on the initial brief of appellant in the case of State v. In The Interest of Johnny A., a Juvenile Under the Age of Seventeen in the Court of Appeals and intends to file Wednesday, March 26, 2014 if not sooner. Counsel had oral arguments in the cases of State v. Curtis Simms in the Supreme Court

with co-counsel David Alexander and State v. Mark Peters in the Court of Appeals on March 5, 2014. Counsel had an oral argument in the case of State v. Jefferson Perry in the Court of Appeals on March 4, 2014. Counsel filed the brief of appellant in the case of State v. Jeremy Fleming on February 27, 2014 in the Court of Appeals. Counsel filed the brief of petitioner in the case of State v. Darian Robinson in the Supreme Court on February 25, 2014. Counsel filed the brief of appellant in the case of State v. Fred Cole Jr. in the Court of Appeals on February 21, 2014. Counsel filed a petition for rehearing in the case of State v. Patrick Guess in the Court of Appeals on February 20, 2014. Counsel had an oral argument in the case of John Edward Weik v. State, a death penalty case in the Supreme Court yesterday, February 19, 2014. Counsel filed the initial brief of appellant in the case of State v. Keith Letmon on February 6, 2014 in this Court. Counsel assisted in the preparation for and attended the oral argument in the case State v. Anthony Nation in the Supreme Court on February 5, 2014. The case was argued by co-counsel Charles Grose. Counsel filed the brief of appellant in the case of State v. William Pou in this Court on January 27, 2014. Counsel filed the brief of appellant in the case of State v. William Pearson in this Court on January 24, 2014. Counsel filed the reply brief of appellant in the case of State v. Curtis Simms with co-counsel David Alexander in the Supreme Court on January 17, 2014. Counsel filed the return to petition for writ of certiorari in the case of In the Interest of Brandon M., A Juvenile Under the Age of Seventeen on January 14, 2014 in the Supreme Court. Counsel filed a reply brief of respondent in the case of John Edward Weik v. State, a death penalty case in the Supreme Court on January 10, 2014. Counsel had an oral argument in the case of State v. Michael Rogers in this Court on January 7, 2014. **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

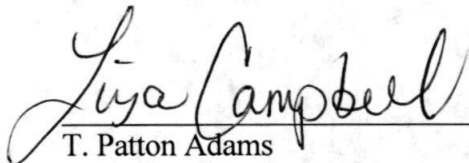
hopefully become more manageable in the near future, and less extensions will need to be requested.

4. As indicated by his 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.

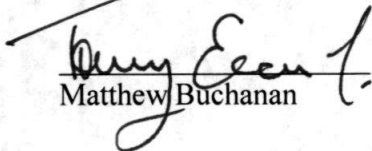
Respectfully submitted,

  
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Robert M. Dudek  
Chief Appellate Defender

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

March 24, 2014

I DO NOT OPPOSE:

  
\_\_\_\_\_  
Matthew Buchanan