

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

RECEIVED

MAY 07 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

NATHANIEL WITHERSPOON,

APPELLANT

APPELLATE CASE NO. 2013-001440

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 is filing the initial brief of appellant and designation of matter in the case of In the Interest of Samuel B., a Juvenile Under the Age of Seventeen with this Court, today, May 7, 2014. Counsel had an oral argument in the case of State v. Victor White in this Court, yesterday May 6, 2014. Counsel filed the reply to return to petition for writ of certiorari in the case of State v. Marion Bowman, a death penalty case with the Supreme Court on Monday, May

May 5, 2014. Counsel is working on the potential reconstruction hearing in the case of State v. Sammie Stokes, a death penalty case. Counsel filed the petition for rehearing in the case of State v. Charles Harris with this Court on April 17, 2014. Counsel had oral arguments in the cases of State v. Richey Boyd and State v. Tawanda Allen in this Court on April 10, 2014. Counsel filed the brief of respondent in the case of State v. Richard Bill Niles Jr. with the Supreme Court on April 9, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonathan Mallory with this Court on April 4, 2014. Counsel filed the petition for rehearing in the case of State v. Jamaal Hinson with this Court with co-counsel Reid Sherard on Thursday, April 3, 2014. Counsel filed the initial brief of appellant in the case of State v. In The Interest of Johnny A., a Juvenile Under the Age of Seventeen with this Court on March 26, 2014. Counsel presented at the Best Practices Seminar in Charleston, S.C. on March 24, 2014. 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 this Court on March 5, 2014. Counsel had an oral argument in the case of State v. Jefferson Perry in this Court on March 4, 2014. Counsel filed the brief of appellant in the case of State v. Jeremy Fleming with this Court on February 27, 2014. Counsel filed the brief of petitioner in the case of State v. Darian Robinson with the Supreme Court on February 25, 2014. Counsel filed the brief of appellant in the case of State v. Fred Cole Jr. with this Court on February 21, 2014. Counsel filed a petition for rehearing in the case of State v. Patrick Guess with this Court 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 on February 19, 2014. Counsel filed the initial brief of appellant in the case of State v. Keith Letmon with this Court on February 6, 2014. 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.

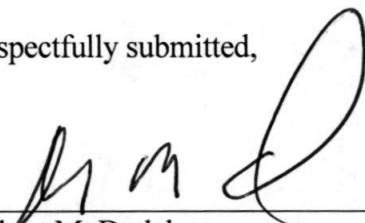
**Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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 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

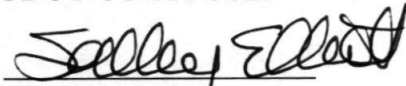


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T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

May 7, 2014

I DO NOT OPPOSE:



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Salley W. Elliott