

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: V. Claire Allen
(Clerk) (Deputy Clerk)

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Benjamin H. Culbertson, Circuit Court Judge

SC Court of Appeals

ORIGINAL

RECEIVED

JUL 16 2012

THE STATE,

RESPONDENT,

v.

ANTOINE F. CHESTNUT,

APPELLANT

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

Counsel for Antoine F. Chestnut respectfully requests an extension of thirty (30) days, 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 fourth request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today. The Court has granted two previous extension.
2. Counsel for Mr. Chestnut 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 July 12, 2012, counsel filed the motion to remand for record reconstruction in James Randolph Frady v. State with the Supreme Court. On June 29, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Alonzo Harvin v. State with the Supreme Court. On June 29, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Herbert Causey with this Court. On June 25, 2012, counsel filed the Anders brief of appellate and Record on Appeal in the case of State v. Vincent Lomelli with this court. On June 22, 2012, counsel filed the initial brief of appellant and designation of matter in State v. William Ross with this Court. On June 15, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Joseph Davis with this Court. On June 14, 2012, counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Jeffrey Riebe with this Court. On June 7 -8, 2012, counsel attended a seminar at this Court Advocacy Institute for continuing legal education in New York, NY. On June 7, 2012, counsel had an oral argument in the case of State v. Jason Black in this Court. On June 5, 2012, counsel had an oral argument in the case of State v. David Meggett in this Court and filed the Anders brief of appellant and Record on Appeal in the case of State v. Marvin B. Green. On June 1, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Murray in this 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 thirty day extension, 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



Robert M. Dudek
Chief Appellate Defender

July 16, 2012

I do not oppose:


Salley Elliott