

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Certiorari to Anderson County

R. Lawton McIntosh, Circuit Court Judge

RECEIVED
AUG 15 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANDREW ANTONIO CLEMONS,

APPELLANT

APPELLATE CASE NO. 2013-001951

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

Counsel for Andrew Antonio Clemons respectfully requests a **final twenty (20) day extension, until September 4, 2014**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel will make every effort to file the brief in advance of that deadline.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today.
2. Counsel for Andrew Antonio Clemons respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.

3. Counsel is preparing for his power-point presentation for the summary judge's conference Tuesday, August 19, 2014. Counsel is also working on and planning to file petitions for rehearing in the cases of State v. Victor A. White and State v. Jefferson Perry with this Court on Thursday, August 21, 2014.

4. Counsel had to prepare for the reconstruction hearing in the case of State v. Travoris Hurst that was held in Charleston, South Carolina yesterday, August 14, 2014. Counsel also filed the petition for rehearing in State v. Tawanda Allen with this Court on August 13, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Charles M. Harris with the Supreme Court on August 8, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of The State v. Nathaniel Witherspoon with this Court on August 6, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix with co-counsel, Reid T. Sherard in the case of The State of South Carolina v. Jamaal Hinson with the Supreme Court on July 29, 2014. Counsel also filed the petition to exceed twenty-five page limit for a petition for writ of certiorari in the case of The State of South Carolina v. Jamaal Hinson with the Supreme Court on July 29, 2014. Counsel also filed the return to petition for writ of certiorari in the case of James E. Waiters v. State of South Carolina with the Supreme Court on July 28, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of In The Matter of the Care and Treatment of Patrick Guess with the Supreme Court on July 23, 2014. Counsel also filed the petition for rehearing with co-counsels Charles Grose, Jr. and Shane E. Goranson in the case of State v. Anthony Nation with the Supreme Court on July 17, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of Daryl L. Gray v. State with the Supreme Court on July 14, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of State v. Harold Cartwright with this Court on July 11, 2014. Counsel also filed a motion to vacate convictions, remand for a new trial and to dismiss the appeal in the case

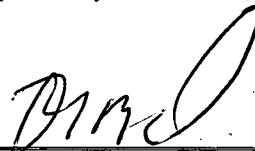
of State v. Christina Reece, with this Court on July 3, 2014. Counsel also had an oral argument in the case of State v. Richard Niles Jr. in the Supreme Court on June 25, 2014. Counsel also filed the brief of petitioner in the case of State v. Christopher Heller in the Supreme Court on June 23, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of State v. Joseph Walker with this Court on June 13, 2014.

5. Counsel makes this request in good faith and not for purpose of delay. Counsel is working first on cases that have been extended three times in an effort to make his caseload more manageable and reduce the number of extensions in the future.

6. 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) day extension, until September 4, 2014**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. **Counsel will make every effort to file the brief in advance of the deadline.** Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



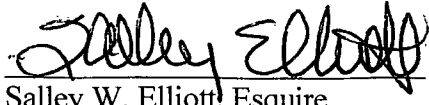
Robert M. Dudek
Chief Appellate Defender



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

This 15th day of August, 2014.

I consent:



Salley W. Elliott, Esquire