

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE COURT OF APPEALS

Appeal from Beaufort County

G. Thomas Cooper, Circuit Court Judge

RECEIVED

AUG 27 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANDRE DECOSTA,

APPELLANT

APPELLATE CASE NO. 2011-196666

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

Counsel for Andre Decosta 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 initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel three previous extensions.

2. Counsel for Andre Decosta 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel is working on and planning to file the initial brief of appellant and designation of matter in the case of State v. Dennis Penny with this Court and the petition for writ of certiorari and accompanying appendix in the case of Robert Orlando Hill v. State with the Supreme Court this week. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dytavis Hinton v. State in the Supreme Court on August 21, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kenneth Bell with this Court on August 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Wilson v. State in the Supreme Court on August 7, 2014. Counsel filed the initial reply brief in the case of State v. Dan Temple in this Court on Thursday, August 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jovan Mitchell in this Court on August 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joshua Paris v. State in the Supreme Court on Monday, July 28, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Robert Byrd v. State in the Supreme Court on July 23, 2014. Counsel filed the brief of petitioner in the case of State v. Norman Hayes in this Court on July 18, 2014. Counsel filed the petition for rehearing in the case of The State v. Gregory Ivery with this Court on July 15, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey Evans v. State with the Supreme Court on July 14, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Roderick Sellers with this Court on July 11, 2014. Counsel filed the petition for rehearing in the case of The State v. Taurus Lamare Thompson with this Court on July 3, 2014.

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.

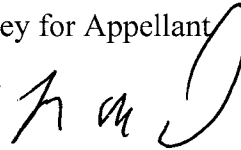
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

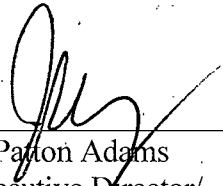


Carmen V. Ganjehsani
Appellate Defender

Attorney for Appellant



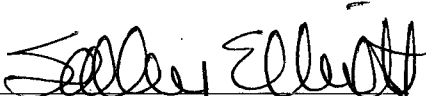
Robert M. Dudek
Chief Appellate Defender



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

This 27th day of August, 2014.

I consent:



Salley W. Elliott, Esquire