

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Beaufort County

G. Thomas Cooper, Circuit Court Judge

RECEIVED

JUL 28 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ANDRE DECOSTA,

APPELLANT

Appellate Case No. 2011-196666

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 filed the petition for writ of certiorari and accompanying appendix in the case of James Robert Byrd v. State in the Supreme Court on Friday, 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

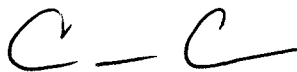
initial brief of appellant and designation of matter in the case of State v. Roderick Sellers with this Court on July 11, 2014. Counsel filed the petition for rehearing in the case of The State v. Taurus Lamare Thompson with this Court on July 3, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Steven Morgan in this Court on June 30, 2014. Counsel filed the petition for rehearing in the case of The State v. James C. Tyner with this Court on June 26, 2014. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Jimmy Charles Kendall, III v. State of South Carolina with the Supreme Court on June 18, 2104. Counsel filed the petition for rehearing in the case of The State v. Forrest Kelly Samples with this Court on June 17, 2104. Counsel had an oral argument in the case of The State v. Donald M. Anderson in this Court on June 17, 2014. Counsel filed the brief of petitioner in the case of George Wigington v. State of South Carolina with this Court on June 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gregory Mark Crolley v. State of South Carolina with the Supreme Court on June 5, 2014. Counsel had an oral argument in the case of The State v. Gregory Ivery in this Court on June 5, 2014.

3. This request is made in good faith, and not for purposes of delay.

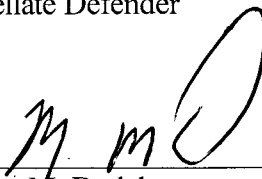
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

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,



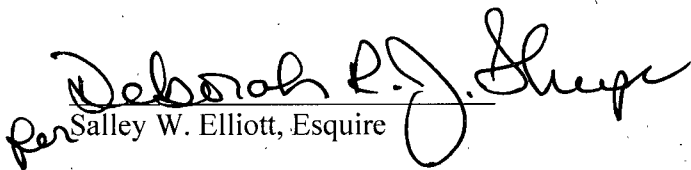
Carmen V. Ganjehsani
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

July 28, 2014

I DO NOT OPPOSE:



per Salley W. Elliott, Esquire