

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Kristi L. Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

LEONARD GOODWIN,

APPELLANT

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

Counsel for Leonard Goodwin respectfully requests a **final extension of thirty (30) days until October 15, 2012**, 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 **final** 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 seven previous extensions.

2. Counsel for Mr. Goodwin respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **The transcript in this case is 698 pages**, and the case involves a significant issue of law. **Counsel anticipates filing the initial brief by October 12, 2012**. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, **no further extension requests will be required**.

3. On September 14, 2012, counsel expects to file the initial brief of appellant and designation of matter in State v. Troy Terrell Baxter in this Court. On September 14, 2012, counsel filed a brief and record on appeal in State v. Perry Bernard Buchanan in this Court. On September 12, 2012 counsel filed a Brief in State v. Chestnut in this Court. On September 12, 2012 counsel had oral arguments in State v. Samuel L.

McNeil and State v. Timothy O. Chandler in this Court. On September 7, 2012, counsel filed the return to petition for certiorari in Troy Robinson v. State with the Supreme Court. On August 30, 2012, counsel filed the petition for rehearing in State v. Clifford Wylie with the Supreme Court. On August 24, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Dustin Tiller v. State with the Supreme Court. August 16, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Christopher J. Hickman v. State with the Supreme Court. On August 15, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Brian Powell v. State with the Supreme Court and filed the Anders brief and record on appeal in State v. Mitchell Rivers with the Court of Appeals. On August 10, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in John P. Hendrix v. State with the Supreme Court. On July 31, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Victor C. Penny v. State with the Supreme Court. On July 23, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Nathaniel Suber v. State with the Supreme Court. On July 23, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Thurston M. Bolton v. State with the Supreme Court. 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 in this Court. On June 25, 2012 counsel filed a brief of appellant and record on appeal in State v. Vincent Lomelli in this Court. On June 22, 2012, counsel filed a brief of appellant and designation of matter in State v. William Ross in this Court.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

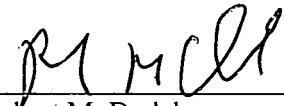
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until October 15, 2012**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

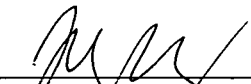


Breen R. Stevens
Appellate Defender

Attorney for Appellant



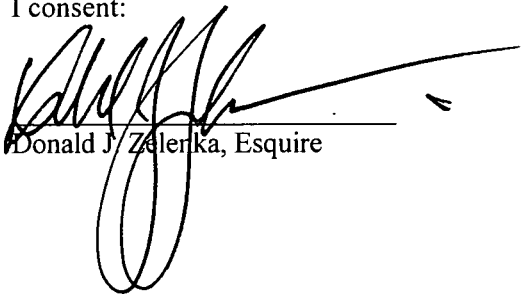
Robert M. Dudek
Chief Appellate Defender



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

This 14th day of September, 2012.

I consent:



Donald J. Zelenka, Esquire



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

 ORIGINAL

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Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

September 14, 2012

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Dear Ms. Kitchings:

I apologize for having to request an eighth extension in the above-titled case. I have discussed the matter with my supervisor, Chief Appellate Defender Robert Dudek, and fully appreciate the need to file briefs in a timely fashion with as few extensions as possible. I assure the Court that, for the reasons stated in the enclosed motion, the need for a final extension is very real and necessary in order for me to ethically represent my client's interests on appeal.

Thank you for your time and consideration regarding this matter. As always, if you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Very respectfully yours,



Breen R. Stevens
Appellate Defender

BRS/mch