

Original

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Edgefield County

R. Knox McMahon, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

SEP 18 2012

**SC Court of Appeals**

THE STATE,

RESPONDENT,

V.

JULIO ANGELO HUNSBERGER,

APPELLANT  
\_\_\_\_\_

MOTION TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER OUT OF TIME  
\_\_\_\_\_


Counsel for Julio Angelo Hunsberger respectfully requests to be allowed to file the initial brief and designation of matter out of time in this case. In support of this request, counsel shows:

- (1) The initial brief of appellant and designation of matter were due to be served and filed with the Court on August 15, 2012.
- (2) The date to file the brief was not calendared and an extension request was not made.
- (3) Counsel is handling a heavy caseload of appeals and would respectfully request that the time be held in abeyance pending the Court's decision.
- (4) Counsel makes this request in good faith and not for purposes of delay.

(5) Counsel for the Attorney General's office does not oppose this request, as shown by his signature.

WHEREFORE, counsel for appellant respectfully requests be allowed to file the initial brief and designation of matter out of time in this case.

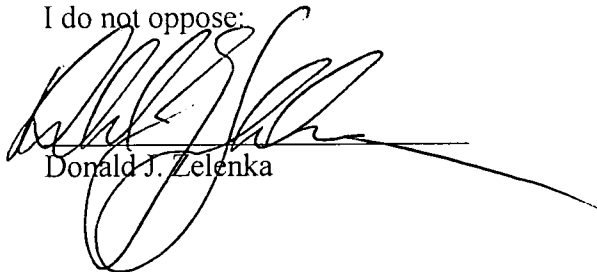
Respectfully submitted,

  
\_\_\_\_\_  
Kathrine H. Hudgins  
Appellate Defender

Attorney for Appellant

This 18th day of September, 2012

I do not oppose:

  
\_\_\_\_\_  
Donald J. Zelenka