

STATE OF SOUTH CAROLINA

 ORIGINAL

IN THE COURT OF APPEALS

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Appeal from York County

John C. Hayes, III, Circuit Court Judge  
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**RECEIVED**  
SEP 24 2012  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

DAVONTAY HENSON,

APPELLANT

Appellate Case No. 2011-204008  
\_\_\_\_\_

**PETITION FOR EXTENSION TO FILE  
INITIAL BRIEF OF APPELLANT AND  
DESIGNATION OF MATTER**  
\_\_\_\_\_

The undersigned counsel would respectfully request a **final thirty-day extension, until October 24, 2012**, 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by five prior orders of this Court.

2. Counsel is asking for a thirty-day extension per the Court of Appeal's request, **but Counsel intends to file the initial brief of appellant and designation of matter by October 15, 2012**. Counsel notes the transcript is 1062 pages involving a joint trial in which Mr. Henson was convicted of murder, three counts of armed

**robbery, conspiracy, and four counts of possession of a weapon during the commission of a violent crime.**

3. Counsel filed the petition for writ of certiorari in the case of State v. James Craig White (Cert in the COA) in the Supreme Court on September 21, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Trico D. Thompson v. State in the Supreme Court on September 20, 2012. Counsel filed the record on appeal in the case of State v. Connie Dumas in this Court on September 19, 2012. Counsel had a bond hearing in Dillon in the case of State v. Bentley Collins on September 17, 2012. Counsel filed the record on appeal in the case of State v. Marquis Breeland in this Court on September 14, 2012. Counsel filed the record on appeal in the case of State v. Cedric Flood in this Court on September 13, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nathaniel Caldwell, III v. State in the Supreme Court on September 11, 2012. Counsel had an oral argument in this Court in the case of State v. Derek Maner on September 10, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell Gleaton v. State in the Supreme Court on September 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronnie Middleton v. State in the Supreme Court on September 4, 2012. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Joseph Graddick in this Court on August 28, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derringer Young in this Court on August 16, 2012. Counsel participated in the reconstruction hearing in the case of Tonnie Baldwin v. State on August 16, 2012 in Bamberg, South Carolina before the Honorable Doyet A. Early, III.

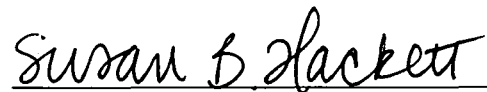
Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kendrick Littlejohn in this Court on August 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Jennings v. State in the Supreme Court on August 9, 2012. Counsel filed the return to the petition for writ of certiorari in the case of State v. Bentley Collins in the Supreme Court on July 30, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James D. Chapman in this Court on July 25, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Marshall D. McGaha in this Court on July 23, 2012.

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

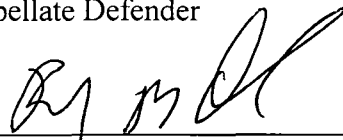
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until October 24, 2012**, in which to file the initial brief of appellant and designation of matter in this case. Counsel 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.

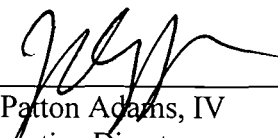
Respectfully submitted,



Susan B. Hackett  
Appellate Defender

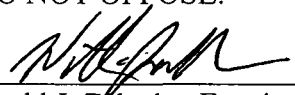


Robert M. Dudek  
Chief Appellate Defender

  
\_\_\_\_\_  
T. Patton Adams, IV  
Executive Director or  
J. Hugh Ryan, III  
General Counsel

September 24, 2012

I DO NOT OPPOSE:

  
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Donald J. Zelenka, Esquire