

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

4th
2.27.12
3.28.12
RECEIVED

FEB 27 2012

SC Court of Appeals
RESPONDENT,

THE STATE,

V.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis 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 Mr. Davis 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 his caseload, counsel hopes that no further extension requests will be required.

3. On February 21, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Christopher Strope v. State and Labrontae Agnew v. State in the Supreme Court. On

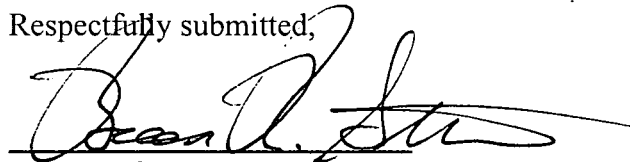
February 16, 2012, counsel had an oral argument in the case of State v. Shawn Miller in this Court. On February 13, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Stanqwaner Wiggins in this Court. On February 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rico Brown in this Court. On February 7, 2012, counsel had an oral argument in the case of State v. Joey Ellis in the Supreme Court. On February 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald McCauley in this Court. On January 30, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Raymond Flores in this Court. On January 27, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Johnson in this Court. On January 25, 2012, counsel had an oral argument in the case of State v. Phillip Coker in this Court. On January 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Cordelle Washington in this Court. On January 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Azikiwe Archie in this Court. On January 17, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Parsons in this Court. On January 12, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Henry Ross in this Court. On January 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Elliott in this Court.

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.

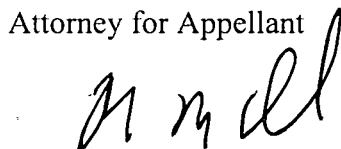
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Breen R. Stevens
Appellate Defender

Attorney for Appellant



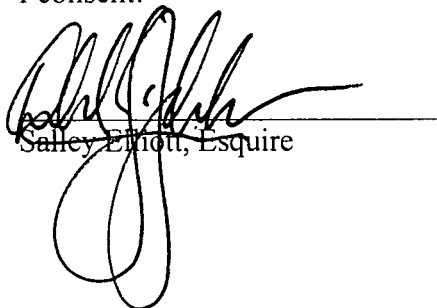
Robert M. Dudek
Chief Appellate Defender



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

This 27th day of February, 2012.

I consent:



Salley Elliott, Esquire

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: V. Claire Allen
(Clerk) (Deputy Clerk)

FILED
2-1-12 DL