

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Edgefield County

R. Knox McMahon, Circuit Court Judge

RECEIVED  
OCT 15 2012  
SC Court of Appeals  
RESPONDENT

THE STATE,

v.

JULIO ANGELO HUNSBERGER,

APPELLANT

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

Counsel for Julio Angelo Hunsberger petitions the Court for a thirty day extension in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the third extension for Mr. Hunsberger.
2. Counsel for Mr. Hunsberger respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Counsel understands that in the previous extension request, she indicated that would be a final, however, given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.
3. Counsel filed the petitions for writ of certiorari and accompanying appendices in William Cornish v. State and Wiley Post James v. State on October 8, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Archie Hoover v. State on October 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Terrance Gist v. State on October 1, 2012. Counsel attended the South Carolina Public Defender's Conference during the week of September 24, 2012. On September 21, 2012, counsel filed the petitions for writ of certiorari to the Court of Appeals

in State v. Hazard Cameron and State v. Eddie Simmons; counsel will also filed the petition for writ of certiorari and accompanying appendix in Carmen Rice v. State. Counsel filed the petition for rehearing in State v. Demetrius Price on September 20, 2012. On September 19, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Yates Walter Wyant. Counsel filed the initial brief of appellant and designation of matter in State v. Gervais Edmonds on September 10, 2012. Counsel is also argued the case State v. Larry Brayboy in this Court on September 10, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Korrell Battle v. State on September 4, 2012.

4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a thirty day extension in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

5. As indicated by signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request. *Donna Zelala*

6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a final thirty day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

*Kathrine H. Hudgins*  
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Kathrine H. Hudgins  
Appellate Defender

*Robert M. Dudek*  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

October 15, 2012

I do not oppose:

*Salley Elliott*  
\_\_\_\_\_  
Salley Elliott