

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from York County

G. Thomas Cooper, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JERRY ALAN GOODE,

APPELLANT

RECEIVED
MAR 28 2012
SC Court of Appeals
3/27
3:30
4:30 k

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

Counsel for Jerry Alan Goode respectfully petitions this Court for an additional 30 days to file the initial brief of appellant and designation of matter on behalf of her client. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter is due **Friday, March 30, 2012**. The Court has granted two previous extensions.
2. Counsel respectfully submits that good cause exists to warrant the granting of an additional extension of time.
3. Specifically, counsel, because of her substantial caseload, has not had the time to complete her client's case, consistent with her duty to provide effective assistance of counsel as guaranteed by the U.S.C.A. 6, 14. See Evitts v. Lucey, 469 U.S. 387 (1985)


(to be effective appellate counsel must give assistance of such quality as to make appellate proceedings fair). *See also* Ezell v. State, 345 S.C. 312, 548 S.E.2d 852 (2001); Southerland v. State, 337 S.C. 610, 524 S.E.2d 833 (1999); South Carolina Bar Ethics Advisory Committee, Advisory Op. 04-12 (2004) (citing the 2002 ABA maximum caseload standards of 25 appeals). *See generally* Polk County v. Dodson, 454 U.S. 312 (1981); Gideon v. Wainwright, 372 U.S. 335 (1963). Counsel has prioritized her caseload to complete the cases with the largest number of extensions first.

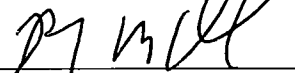
4. Counsel diligently works to keep up with her case load. Counsel filed the initial brief of appellant and designation of matter in State v. Cedric Flood with this Court on March 27, 2012. Counsel also filed the petition for writ of certiorari in Reina Garrido v. State with the Supreme Court on March 27, 2012. Counsel filed the petition for writ of certiorari from the Court of Appeals in State v. Reico Lamont Welch with this Court on March 19, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Marquis Breeland with the Court of Appeals on March 14, 2012. Counsel also filed the initial brief of appellant and designation of matter in State v. Ervin Outz with the Court of Appeals on March 14, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Anthony Hackshaw, which included seven issues on appeal, with the Court of Appeals on March 8, 2012. Counsel had an oral argument before the Court of Appeals in State v. Nathaniel Murray on March 1, 2012. Counsel filed the petition for rehearing in State v. Jomar Antavis Robinson with the Court of Appeals on March 1, 2012. Counsel had an oral argument before the Court of Appeals in State v. Donna Buie on February 28, 2012. Counsel filed the five issue death penalty brief in the case of State v. Steven Barnes with this Court on February 24, 2012.

5. In the month of March, counsel is assigned to file 22 briefs and writ of certioraris.
6. As indicated by the signature below, the Attorney General's Office does not oppose the request.
7. Counsel makes this request in good faith and not for purposes of delay.

Respectfully, counsel requests a 30 day extension in which to file her client's initial brief of appellant and designation of matter.

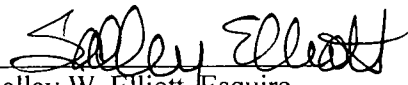
Respectfully submitted,

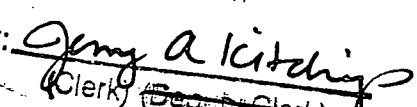

Elizabeth A. Franklin-Best
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

March 28, 2012

I do not oppose:


Salley W. Elliott, Esquire

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT
By: 
(Clerk) (Deputy Clerk)

FILED
3.30.12.02