

original

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Clarendon County
Ralph F. Cothran, Circuit Court Judge

RECEIVED
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SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HENRY LEE FELDER,

APPELLANT

APPELLATE CASE NO. 2011-201767

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

The undersigned counsel respectfully requests a thirty-day extension, 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 extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. On October 31, 2012, counsel had an oral argument in the Supreme Court in State v. Danny Cortez Brown. Counsel had an oral argument in this Court on October 30, 2012 in State v. Norman Stoudenmire. Counsel filed the initial brief of appellate and

designation of matter in State v. Eric Wright with this Court on October 25, 2012. The petition for writ of certiorari in Kenji Manning v. State was filed with the Supreme Court on October 22, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Vincent Neumon v. State in the Supreme Court on October 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the Supreme Court in David Fowler v. State on October 11, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tippy Marie Retana v. State in the Supreme Court on October 10, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Kendall Green v. State in the Supreme Court on October 5, 2012. Counsel had oral argument in the Supreme Court in the case of Ernest Pressley v. State on October 2, 2012. Counsel attended the South Carolina Public Defenders Conference during the week of September 24, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Bobby Shey Rathburn v. State with the Supreme Court on September 19, 2012. On September 12, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Gary White v. State with the Supreme Court. Counsel filed the petition for writ of certiorari and accompanying appendix in Marion Alexander Lindsey, a capital appeal in the Supreme Court, on September 7, 2012.

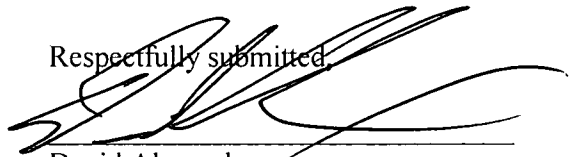
4. As indicated by her signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request

5. This request is made in good faith, and not for purposes 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

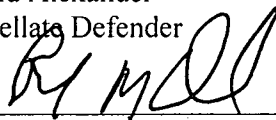
need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully 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.

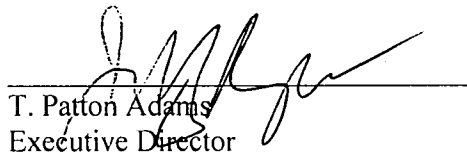
Respectfully submitted,



David Alexander
Appellate Defender



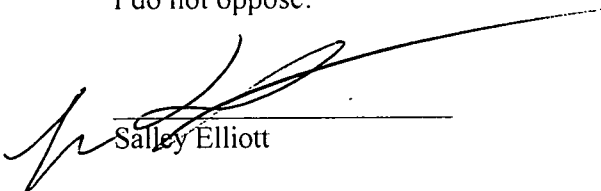
Robert M. Dudek
Chief Appellate Defender



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

November 1, 2012

I do not oppose:



Salley Elliott