

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

James R. Barber, III, Circuit Court Judge

THE STATE,

v.

ANTHONY HACKSHAW,

APPELLANT

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

Counsel for Anthony Hackshaw 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 today. The Court has granted three 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

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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 petition for writ of certiorari to the Court of Appeals in State v. Billy Walter Winchester with the Supreme Court on November 16, 2011. Counsel filed the initial brief of appellant and designation of matter in State v. Willie Poole with this Court on November 16, 2011. Counsel had an oral argument in State v. Anthony Acanfora before this Court on November 16, 2011. Counsel filed the petition for rehearing in State v. Robert Anthony James and the petition for rehearing in State v. James P. Austin with this Court on November 7, 2011. Counsel filed the petition for writ of certiorari in Tracy L. Dowell v. State with the Supreme Court on November 3, 2011. Counsel had an oral argument in State v. Marcus Parker before this Court on November 1, 2011. Counsel had an oral argument in State v. Syllester Taylor before the Supreme Court on November 2, 2011.5.

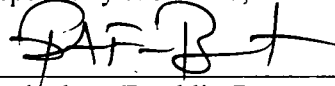
In the month of November, counsel is assigned to file **14** briefs and writ of certioraris.

6. As indicated by the signature below, the Attorney General's Office does not oppose the request.

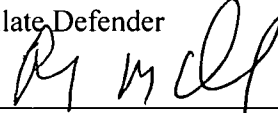
7. Counsel makes this request in good faith and not for purposes of delay.

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

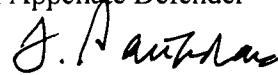
Respectfully submitted,



Elizabeth A. Franklin-Best
Appellate Defender



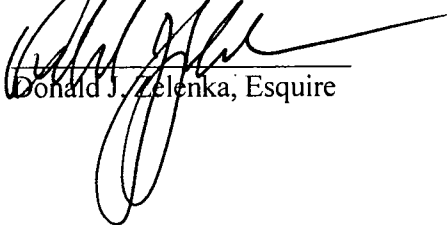
Robert M. Dudek
Chief Appellate Defender



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

November 18, 2011

I do not oppose:


Donald J. Zelenka, Esquire

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

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

FILED
12.1.11 DW