

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Richland County  
James R. Barber, III, Circuit Court Judge  
\_\_\_\_\_

ORIGINAL

RECEIVED  
DEC 19 2011  
SC Court of Appeals  
12.18.11

THE STATE,

RESPONDENT,

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 a **final 30 day extension, until January 18, 2011**, 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 four previous extensions. The transcript in this case is 1645 pages long.
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 is filing the petition for writ of certiorari in James Wright, III v. State with the Supreme Court, today, December 19, 2011. Counsel filed the petition for rehearing in State v. Michael D. Jackson with this Court on December 16, 2011. Counsel filed the initial brief of appellant and designation of matter in State v. Marion Bonds with this Court on December 8, 2011. Counsel also filed the return to respondent's petition for rehearing in State v. William Coaxum, Sr. with this Court on December 8, 2011. Counsel filed the brief of petitioner in Clay A. Blake v. State with the Supreme Court on December 7, 2011. Counsel also filed the motion to remand to reconstruct the record or, in the alternative, for a new trial in State v. Ervin Outz with this Court on December 7, 2011. Counsel filed the initial brief of appellant and designation of matter in State v. Willie Poole with this Court on November 28, 2011. 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.

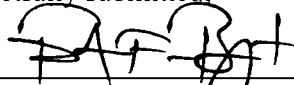
5. In the month of December counsel is assigned to file **18** briefs and writ of certiorari petitions.

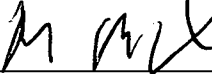
6. As indicated by the signature below, the Attorney General's Office does not oppose the request.


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

Respectfully, counsel requests a **final 30 day extension, until January 18, 2011,** in which to file her client's initial brief of appellant and designation of matter.

Respectfully submitted,

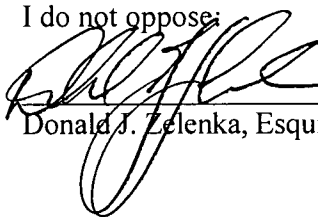
  
\_\_\_\_\_  
Elizabeth A. Franklin-Best  
Appellate Defender

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

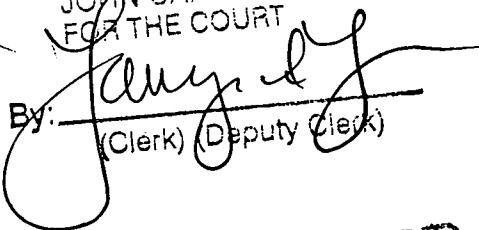
  
\_\_\_\_\_  
T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

December 19, 2011

I do not oppose:

  
\_\_\_\_\_  
Donald J. Zelenka, Esquire

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

By:   
\_\_\_\_\_  
(Clerk) (Deputy Clerk)

**FILED**  
12.20.11 