

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Kristi Lea Harrington, Circuit Court Judge

6th
11.7.11
12.7.11
ORIGINAL

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RESPONDENT

SC Court of Appeals

THE STATE,

v.

JEFFREY HERRMANN,

APPELLANT

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

Counsel for Jeffrey Herrmann petitions the Court for a **final thirty day extension, until December 7, 2011**, 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 **Monday, November 7, 2011**.
2. Counsel for Mr. Herrmann respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. 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 initial brief of appellant and designation of matter in State v. Bert Foster on September 7, 2011. On September 12, 2011, counsel filed the petition for writ of certiorari and accompanying appendix in Travis Richardson v. State. Counsel filed the return to petition for writ of certiorari in Dorian Cain v. State on September 20, 2011. Counsel filed the petition for writ of certiorari and accompanying appendix in Cody Waters v. State on September 23, 2011. On September 30, 2011, counsel filed the petition for writ of certiorari and accompanying appendix in Terry Smalley v. State. Counsel had three oral arguments scheduled with the South Carolina Supreme Court and South Carolina Court of Appeals during the week of October 3, 2011. Counsel argued In the interest of Justin B., a

minor under the age seventeen in the South Carolina Supreme Court on October 4, 2011. On October 5, 2011, counsel argued Kareen Lee v. State and Joseph Walker v. State in the South Carolina Court of Appeals. Counsel filed the initial brief of appellant and designation of matter in State v. Danny Ryant on October 18, 2011. On October 21, 2011, counsel filed the petition for writ of certiorari and accompanying appendix in Troy Zeigler v. State. Counsel filed the petition for writ of certiorari and accompanying appendix in William Wood v. State on October 24, 2011. Counsel filed the brief of petitioner in Dana Rikard v. State on October 31, 2011. Counsel also had an oral argument in the Court of Appeals on November 1, 2011.

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 **final thirty day extension, until December 7, 2011**, in which to 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, Donald Zelenka, of the South Carolina Attorney General's Office, does not oppose this request.

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

Counsel respectfully requests a **final thirty day extension, until December 7, 2011**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

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

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

Kathrine H. Hudgins
Kathrine H. Hudgins
Appellate Defender

Robert M. Dudek
Robert M. Dudek
Chief Appellate Defender

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

November 2, 2011

I do not oppose:

Donald Zelenka
Donald Zelenka

for Don Zelenka

FILED
NOV 16 2011