

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAY 24 2012

Appeal from Florence County
Thomas A. Russo, Circuit Court Judge

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

ANTHONY WADE,

APPELLANT

PETITION FOR EXTENSION TO FILE
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.

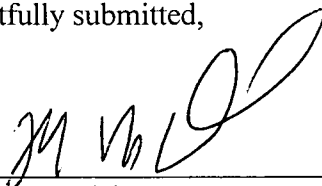
2. Counsel will file the petition for writ of certiorari and accompanying appendix in Tyrone Ransom v. State with this Court today, May 24, 2012. Counsel plans to file the petition for writ of certiorari and accompanying appendix in Justin Byers v. State with this Court tomorrow, May 25, 2012. Counsel filed the petition for writ of certiorari in Michael Joseph Fleming v. State with this Court on May 23, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Ricky Shane Black with the Court of Appeals on May 21, 2012. Counsel met with a client at Lieber Correctional Institution on Thursday, May 17, 2012. Counsel had a board subcommittee Performance Standards meeting on Tuesday, May 15, 2012. Counsel

filed the brief of petitioner in State v. Gene Tony Cooper with this Court on May 14, 2012. Counsel also filed the petition for writ of certiorari and accompanying appendix in Tyrone Lewis, Jr. v. State with this Court on May 14, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Darren Scott with the Court of Appeals on May 9, 2012. Counsel had an oral argument in State v. Thomas Patrick Hilliard before the Court of Appeals on May 7, 2012. Counsel had an oral argument in State v. Anthony Gracely before this Court on May 2, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Anthony Nation with this Court on April 27, 2012. Counsel filed the petition for writ of certiorari in Johnny A. Gainey v. State with this Court on April 24, 2012. Counsel filed the return to petition for writ of certiorari in Randy Lee Hill v. State with this Court on April 23, 2012. Counsel is currently working on the death penalty case of Richard Bernard Moore v. State with co-counsel Susan B. Hackett. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender.

3. 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,



Robert M. Dudek
Chief Appellate Defender

May 24, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Florence County

Thomas A. Russo, Circuit Court Judge

THE STATE,

RESPONDENT,

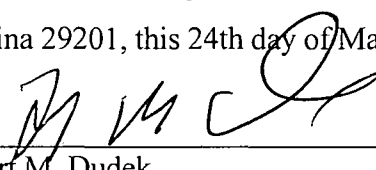
V.

ANTHONY WADE,

APPELLANT

CERTIFICATE OF SERVICE

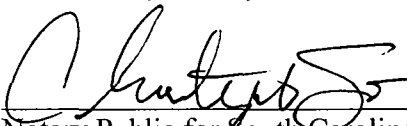
The undersigned attorney hereby certifies initial brief of appellant and designation of matter in the above referenced case has been served upon Salley W. Elliott, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 24th day of May, 2012.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

SUBSCRIBED AND SWORN TO before me
this 24th day of May, 2012.



Notary Public for South Carolina (L.S.)

My Commission Expires: May 16, 2021.