

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

C. Victor Pyle, Jr., Circuit Court Judge

RECEIVED

DEC 13 2012

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JULIAN DEANDRE BATTLE,

APPELLANT

APPELLATE CASE NO. 2011-203746

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

The undersigned counsel respectfully requests a **final thirty day extension (from December 17, 2012), until January 17, 2013** 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 **Monday, December 17, 2012**.

2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel filed the petition for writ of certiorari and accompanying appendix in Ashante Wright v. State with the South Carolina Supreme Court on December 12, 2012. Counsel filed the reply to return to petition for writ of certiorari in the South Carolina Supreme Court in Darrell Goss v. State on December 4, 2012. Counsel filed the brief of petitioner in State v. Paris Avery with the South Carolina Supreme Court on November 26, 2012. The petition for writ of certiorari and accompanying appendix in Douglas Thompson v. State were filed and served with the South Carolina Supreme Court on November 21, 2012. The petition for writ of certiorari and

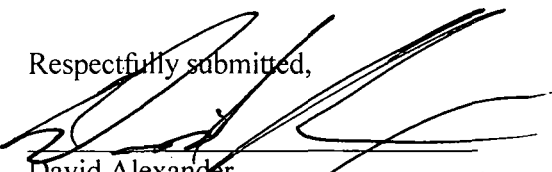
accompanying appendix in Charles Ray Dean v. State was filed in the South Carolina Supreme Court on November 15, 2012. Counsel filed the initial brief of appellant and designation of matter with this Court in State v. Michael Couch on November 7, 2012.

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.

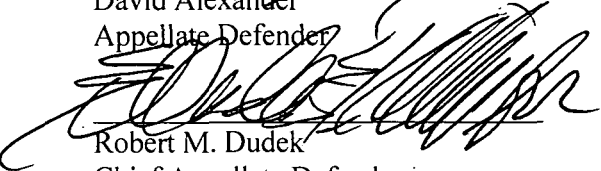
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension (from December 17, 2012), until January 17, 2013**. 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.

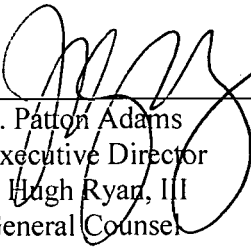
Respectfully submitted,



David Alexander
Appellate Defender



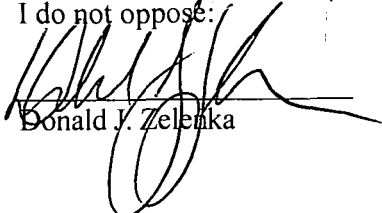
Robert M. Dudek
Chief Appellate Defender



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

December 13, 2012

I do not oppose:



Donald J. Zelenka