

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Lexington County

William P. Keesley, Circuit Court Judge

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IN THE MATTER OF THE CARE AND  
TREATMENT OF DUSTY A. CYR,

**RECEIVED**

JAN 14 2013

**SC Court of Appeals**

APPELLANT

APPELLATE CASE NO. 2012-211486

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

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Counsel for Dusty A. Cyr respectfully requests an extension of thirty (30) days in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. Cyr 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. Today, counsel will file a Johnson petition for writ of certiorari and accompanying appendix in Clinton F. Stephens v. State with the Supreme Court. On January 10, 2013, counsel filed a brief of

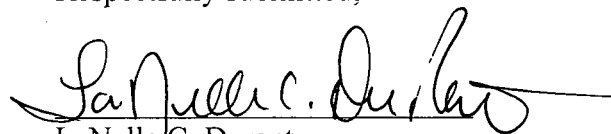
petitioner and accompanying appendix in Braxton J. Bell v. State with the Supreme Court. On January 8, 2013, counsel held an oral argument in State v. Bobby J. Barton before this Court. On January 3, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Eric Rhea v. State with the Supreme Court. On January 2, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Marcus Parker v. State with the Supreme Court. On December 17, 2012, counsel filed an initial brief of appellant and designation of matter in The Matter of the Care and Treatment of Jimmy Mac McBride in this Court; and filed a Johnson petition for writ of certiorari and accompanying appendix in Christopher Devon Jones v. State in the Supreme Court. On December 13, 2012, counsel filed a petition for writ of certiorari to the Court of Appeals in State v. Bennie Golston in the Supreme Court. On December 10, 2012, counsel filed an Anders brief of appellant and designation of matter with accompanying record on appeal in The Matter of the Care and Treatment of Carl Durrell Cook in this Court. On December 6, 2012, counsel held an oral argument in State v. Theodore David Wills, Jr. before the Supreme Court. On December 4, 2012, counsel filed a petition for writ of certiorari and accompanying appendix in Myra Christenbury v. State in the Supreme Court. On November 29, 2012, counsel filed a return to petition for writ of certiorari to the Court of Appeals in State v. Phillip Miller in the Supreme Court. On November 26, 2012, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Jason D. Parker v. State in the Supreme Court. On November 19, 2012, counsel filed a Johnson petition for writ of certiorari pursuant to Austin v. State in Christian Harris v. State and filed a petition for writ of certiorari and accompanying appendix in Christian Harris v. State with the Supreme Court. Counsel also filed a petition for writ of certiorari to the Court of Appeals in State v. Cameron Hammonds with the Supreme Court. On November 14, 2012, counsel held an oral argument in State v. Marques Hudson before the Supreme Court; and counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Joshua Samuel v. State in the Supreme Court. On November 13, 2012, counsel held an oral argument in State v. Ralph Bernard Coleman before this Court.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

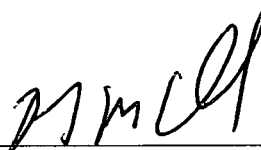
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the brief be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant  
Appellate Defender

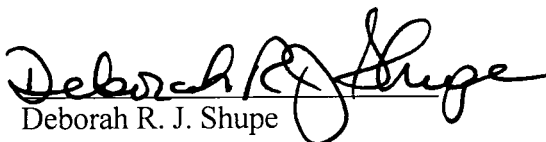
Attorney for Appellant



Robert M. Dudek  
Chief Appellate Defender

This 14<sup>th</sup> day of January, 2013.

I consent:



Deborah R. J. Shupe