

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Colleton County

Perry M. Buckner, Circuit Court Judge

RECEIVED

JAN 16 2013

S.C. Supreme Court

DESMOND J. SAMS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2009-115746

**PETITION FOR EXTENSION TO FILE
BRIEF OF PETITIONER**

The undersigned counsel would respectfully request a thirty day extension in which to file the brief of petitioner in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The brief of petitioner in this case is due to be served and filed today, having been extended by two prior orders of this Court.
2. Counsel is preparing to file the initial brief of appellant and designation of matter in the case of State v. David Gerrard Johnson in this Court today, January 16, 2013. Counsel filed the record on appeal in the case of State v. Anthony Lounds with this Court on January 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Sam Harold Smith with this Court on January 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the case

of State v. Keith Gadsden in this Court on January 8, 2013. Counsel filed the brief of appellant in the case of State v. Tyrone Whatley in this Court on January 8, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Steven Denton v. State in the Supreme Court on January 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tonnie Baldwin v. State in the Supreme Court on December 27, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Quentes S. Wells v. State with the Supreme Court on December 21, 2012. Counsel filed the return to petition for writ of certiorari in the case of Ricky Lee Hatcher v. State in the Supreme Court on December 20, 2012. Counsel filed the return to petition for writ of certiorari filed the petition for rehearing in the case of State v. Thomas E. Gilliland with this Court on December 13, 2012. Counsel filed the petition for writ of certiorari in the case of State v. Thomas Smart (Cert in the COA) in the Supreme Court on December 12, 2012. Counsel filed the petition for rehearing in the case of State v. Stevie Lamont Aikens in this Court on December 12, 2012. Counsel had two oral arguments in the case of James Robinson v. State and State v. Thomas Michael Smith in this Court on December 10, 2012. Counsel filed the record on appeal in the case of State v. Marshall McGaha in this Court on December 7, 2012. Counsel filed the record on appeal in the case of State v. Rodriques Carter in this Court on December 5, 2012. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. David Pacetti in this Court on November 28, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Anderson in this Court on November 28, 2012. Counsel filed the record on appeal in the case of State v. Ladorrean Collington in this Court on November 28,

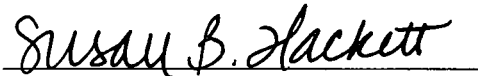
2012. Counsel filed the record on appeal in the case of State v. Sasha Gaskins in this Court on November 21, 2012. Counsel filed the Anders brief of appellant and the record on appeal in the case of State v. Phillip Rachels in this Court on November 20, 2012.

3. This request is made in good faith, and not for purposes of delay.

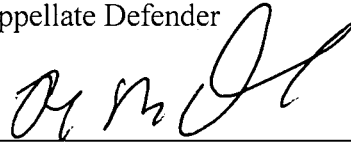
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the brief of petitioner in this case. Counsel requests that the time limits for filing the brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 16, 2013

I DO NOT OPPOSE:



Mark R. Farthing