

**ORIGINAL**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County  
G. Edward Welmaker, Circuit Court Judge

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**RECEIVED**  
JAN 18 2013  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

DONALD MARQUICE ANDERSON,

APPELLANT.

Appellate Case No. 2012-212499

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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 Donald Marquice Anderson 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 is due to be served and filed with the Court today, January 18, 2013.
2. Counsel for Mr. Anderson 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 his caseload, counsel hopes that no further extension requests will be required.


3. On January 14, 2013, counsel filed the brief of appellant and designation of matter in State v. Christopher E. Russell with this Court. On January 11, 2013, counsel filed the petition for writ of certiorari and appendix in Jose Tello v. State in the Supreme Court. On January 9, 2013, counsel filed the petition for writ of certiorari and appendix in Theodore Kyinoo v. State in the Supreme Court. On January 8, 2013, counsel filed the petition for writ of certiorari and appendix in Donald Whetherall v. State in the Supreme Court. On December 21, 2012, counsel filed the petition for writ of certiorari to this Court in State v. Marcus Addison in the Supreme Court. On December 20, 2012, counsel filed the brief of appellant and designation of matter in State v. Stephon Robinson with this Court. On December 18, 2012, counsel filed the brief of appellant and designation of matter in State v. Mitchell Akeem House with this Court. On December 14, 2012, counsel filed the brief of appellant and designation of matter in State v. Joe Ward with this Court. On December 10, 2012, counsel filed the petition for writ of certiorari and appendix in Mayron Rashad Gilree v. State in the Supreme Court. On December 5, 2012, counsel filed the brief of appellant and designation of matter in State v. Alex Robinson with this Court. On November 29, 2012, counsel filed the petition for writ of certiorari and appendix in Rufino Uriostegui v. State in the Supreme Court; the petition for writ of certiorari and appendix in Nancy VonCannon v. State in the Supreme Court; and the petition for writ of certiorari pursuant to Austin v. State in Nancy VonCannon v. State in the Supreme Court. On November 26, 2012, counsel filed the brief of appellant and designation of matter in State v. Marlin Hutley with this Court. On November 21, 2012, counsel filed the brief of appellant and designation of matter in State v. Richard Avon Green with this Court. On November 15, 2012, counsel filed a petition for rehearing in State v. Rushan Counts; a brief of appellant and record on appeal in State v. Douglas Hall with this Court; and a reply to the state's return to appellant's

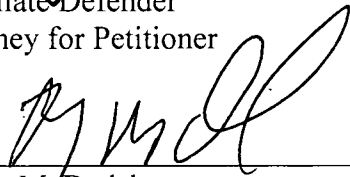
memorandum in State v. Richard Gagnon in the Horry County Court of General Sessions.

4. Counsel makes this request in good faith and not for purpose of delay.
5. As indicated by signature below, Karen Ratigan, of the South Carolina Attorney General's Office, does not oppose this request.

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 petition be held in abeyance pending a ruling on this motion.

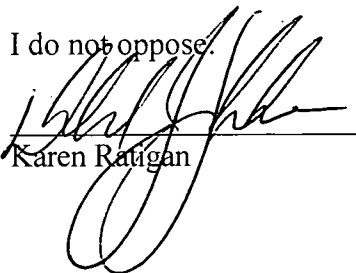
Respectfully submitted,

  
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Dayne C. Phillips  
Appellate Defender  
Attorney for Petitioner

  
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Robert M. Dudek  
Chief Appellate Defender

January 18, 2013

I do not oppose.

  
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Karen Ratigan