

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
Lee S. Alford, Circuit Court Judge

RECEIVED

JAN 28 2013

SC Court of Appeals

STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

TIMOTHY WAYNE ALFORD,

APPELLANT.

Appellate Case No. 2012-211997

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

Counsel for Timothy Wayne Alford 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 fourth 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 28, 2013.
2. Counsel for Mr. Alford 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.

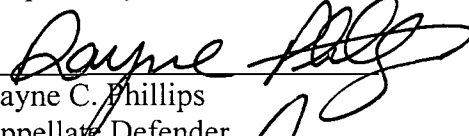
3. Today, January 28, 2013, counsel is preparing to file the petition for writ of certiorari and appendix in Lawrence R. Waller in the Supreme Court. On January 25, 2013, counsel filed the petition for writ of certiorari and appendix in Carlos Bolt v. State in the Supreme Court. On January 22, 2013, counsel filed the brief of appellant and designation of matter in State v. Mathew Ryan Hendricks with this Court, the petition for writ of certiorari and appendix in Andre Martin v. State in the Supreme Court, and the brief of appellant pursuant to White v. State in Andre Martin v. State in the Supreme Court. 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. 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.

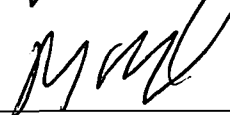
4. Counsel makes this request in good faith and not for purpose of delay.
5. As indicated by signature below, J. Rutledge Johnson, of the South Carolina Attorney General's Office, does not oppose this request.

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.

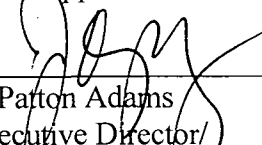
Respectfully submitted,



Dayne C. Phillips
Appellate Defender




Robert M. Dudek
Chief Appellate Defender



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

January 28, 2013

I do not oppose:



for J. Rutledge Johnson