

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
William Jeffrey Young, Circuit Court Judge

RECEIVED
JAN 28 2013
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JOSEPH WADELL DUNBAR,

APPELLANT

Appellate Case No. 2011-203386

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

The undersigned counsel respectfully requests a thirty-day extension 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 today. Counsel has had three previous extensions in this case.

2. Counsel filed the Anders brief of appellant and record on appeal in State v. Frederick R. Chappell on January 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in Darryl Frierson v. State on January 10, 2013. On January 7, 2013, counsel filed the initial brief of appellant and designation of matter in State v. Cesar Portillo. Counsel filed the brief of petitioner in the case of State v. Wesley Smith, the petition for writ of certiorari and accompanying appendix in the case of State v. Doyle Marion Garrett (in the COA), and the Return to the petition for writ of certiorari in the case of Antonio D. Bordeaux v. State all in the Supreme Court on December 27, 2012. Additionally, Counsel filed the petitions for rehearing in the cases of State v. Larry Bradley Brayboy and State v. Marion Stewart in the Court of Appeals on December 27, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v.

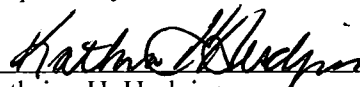
Travis Teasley (in the COA) in the Supreme Court, as well as the initial brief of appellant and designation of matter in the case of State v. John Wayne Brannon in the Court of Appeals, on December 21, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sylvester Davis v. State in the Supreme Court on December 19, 2012. Counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Demetrius Price on December 17, 2012. The initial brief of appellant and designation of matter in State v. Roman Millen was filed on December 13, 2012. Counsel filed the return to petition for writ of certiorari in State v. Daniel Jenkins on December 7, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Frankie McGee and had an oral argument in State v. Timothy Wallace on December 5, 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.

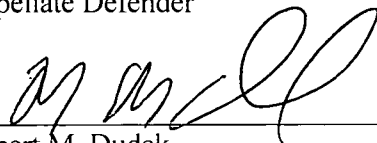
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension. 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.

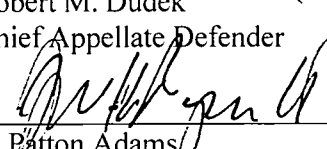
Respectfully submitted,



Kathrine H. Hudgins
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 Salley W. Elliott