

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Clarendon County

R. Ferrell Cothran, Jr., Circuit Court Judge

RECEIVED
FEB 20 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MICHAEL WILSON PEARSON,

APPELLANT

Appellate Case No. 2012-212430

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.
2. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Herman Donald McKnight v. State in the Supreme Court on Tuesday, February 19, 2013. Counsel filed the brief of petitioner in the case of In the Interest of Cleo B., in this Court on Thursday, February 14, 2013. Counsel filed the Anders brief of appellant and record on appeal in the case of Victor Smith v. State in this Court on Monday, February 11,

2013. Counsel filed the initial brief of appellant in the case of Clarence J. Fishburne v. State in this Court on Monday, February 11, 2013. Counsel filed the Anders brief of appellant and record on appeal in the case State v. Edward Martin Clarkson in this Court on Thursday, February 7, 2013. Counsel filed the brief of petitioner in the case of Roderick Bradley v. State in this Court on Thursday, February 7, 2013. Counsel had an oral argument in the case of State v. Craig Keeling in this Court on Tuesday, February 5, 2013. Counsel filed the brief of petitioner in the case of Thomas McCall v. State in the Supreme Court on February 4, 2013. On January 30, 2013, Counsel had to appear in PCR Court in Lexington County as a witness in Frank Tolen v. State. Counsel filed the initial brief of appellant in State v. Anthony Rodrickus Carter in this Court. Counsel filed the brief of appellant pursuant to White v. State in State v. Ronald Black in this Court on January 28, 2013. Counsel filed the brief of appellant and record on appeal in State v. Frederick R. Chappell in this Court on January 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in Darryl Frierson v. State in the Supreme Court on January 10, 2013. On January 7, 2013, counsel filed the initial brief of appellant and designation of matter in State v. Cesar Portillo in this Court. 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 petitions for rehearing in the cases of State v. Larry Bradley Brayboy and State v. Marion Stewart in this Court 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 this Court on December 21, 2012. Counsel

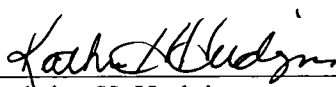
filed the petition for writ of certiorari and accompanying appendix in the case of Sylvester Davis v. State in the Supreme Court on December 19, 2012

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.

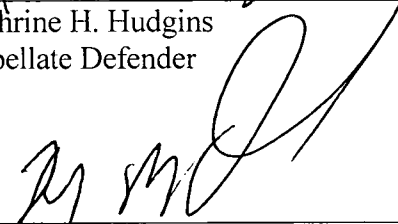
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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



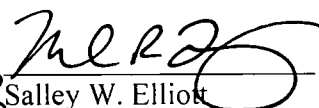
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 20, 2013

I DO NOT OPPOSE:


For Salley W. Elliott