

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Berkeley County

J. C. Buddy Nicholson, Jr., Circuit Court Judge

RECEIVED

APR 11 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

BENJAMIN J. JACKSON,

APPELLANT

APPELLATE CASE NO. 2012-210107

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

Counsel for Benjamin J. Jackson respectfully requests a **final extension of thirty (30) days until May 13, 2013**, 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 fifth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel four previous extensions.
2. Counsel for Mr. Jackson 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 her caseload, counsel hopes that no further extension requests will be required.

3. On April 10, 2013, counsel held an oral argument in the case of State v. Ronald Gooden with this Court. On April 9, 2013, counsel held an oral argument in State v. John Mack with this Court. On April 3, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Christopher O'Neal Pringle v. State with the Supreme Court. On April 3, 2013, counsel held an oral argument in State v. David Jakes before this Court; and counsel held an oral argument in State v. Anthony Martin before this Court. On April 2, 2013, counsel held an oral argument with the Supreme Court in the case of State v. Clarence Logan, Jr. On April 1, 2013, counsel held an oral argument in State v. Eugene Patterson with this Court. On March 27, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Alfred Redwine v. State with the Supreme Court. On March 14, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in the United States Supreme Court in Bryan Phillips v. State. On March 7, 2013, counsel held an oral argument in State v. Daniel Rogers before this Court. On March 5, 2013, counsel held an oral argument in The Matter of the Care and Treatment of Thomas Simmons before the Supreme Court; and counsel held an oral argument in State v. Alonza Dennis before this Court. On March 4, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Robert Young v. State with the Supreme Court. On March 1, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in David Wilson v. State with the Supreme Court. On February 28, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix and supplemental appendix in Lakendrick K. Leverette v. State with the Supreme Court. On February 22, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Phillip Sims v. State with the Supreme Court. On

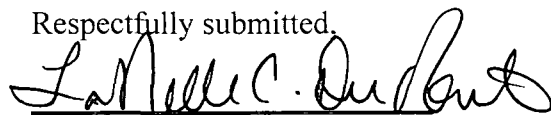
February 14, 2013, counsel filed a initial brief of appellant and designation of matter in State v. Travas Jones in this Court; counsel filed a petition for rehearing in State v. Jimmy Lee Sessions in this Court; counsel filed a petition for rehearing in State v. Bobby J. Barton in this Court; and counsel filed a petition for writ of certiorari and accompanying appendix in George Moses v. State with the Supreme Court.

4. Counsel makes this request in good faith and not for purpose 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.

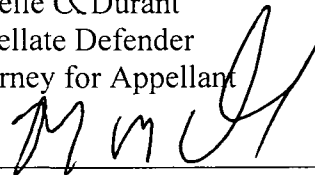
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final extension of thirty (30) days until May 13, 2013**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

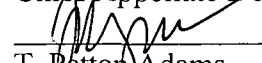
Respectfully submitted,



LaNelle C. Durant
Appellate Defender
Attorney for Appellant




Robert M. Dudek
Chief Appellate Defender



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

This 11th day of April, 2013.

I consent:



Salley W. Elliott