

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County

C. Victor Pyle, Jr., Circuit Court Judge

THE STATE,

RECEIVED
APR 12 2013
SC Court of Appeals
RESPONDENT,

V.

DOMINIQUE J. SHUMATE,

APPELLANT

APPELLATE CASE NO. 2012-212057

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 had an oral argument in the case of James Bowers v. State in this Court on Tuesday, April 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robin Reese in this Court on Thursday, April 4, 2013. Counsel had an oral argument in the case of State v. Todd Smith in this Court on Thursday, April 3, 2013. Counsel had an oral argument in the case of State v. Jeffrey Herman in the Court of Appeals on Tuesday,

April 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Larry Bradley Brayboy in the Supreme Court on Wednesday, March 27, 2013. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of State v. Danny Ryant in the Supreme Court and Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Marion Stewart in the Supreme Court. Counsel filed the brief of appellant pursuant to White v. State in State v. Jamal Lindsey in the Court of Appeals on March 21, 2013; counsel also filed the petition for writ of certiorari and accompanying appendix in the case of State v. Jamal Lindsey in the Supreme Court. Counsel filed the Anders brief of appellant and record on appeal in the case of Scott Lee v. State in this Court on Wednesday, March 13, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. John B. Campbell in the Supreme Court on Monday, March 11, 2013. Counsel filed the Anders brief of appellant and record on appeal in the case of Allen Worthy v. State in this Court on Friday, March 8, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Shazjuan S. Shabazz v. State in the Supreme Court on Friday, March 1, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Joseph Lathan Kelly in this Court. Counsel filed the Anders brief of appellant and record on appeal in the case State v. Jakevian Pulley in this Court on Wednesday, February 27, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Julio Angelo Hunsberger in this Court on Friday, February 22, 2013. 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 the this Court on Thursday, February 14, 2013. Counsel filed the Anders brief of appellant and

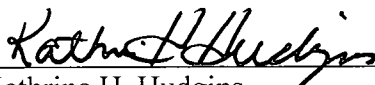
record on appeal in the case of Victor Smith v. State in this Court on Monday, February 11, 2013.

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.

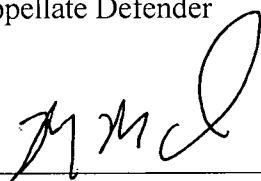
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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,



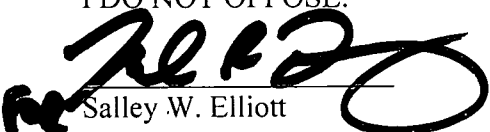
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

April 12, 2013

I DO NOT OPPOSE:



Salley W. Elliott