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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Division of Appellate Defense
1330 Lady Street, Suite 401
Columbia, South Carolina 29201-3332
Post Office Box 11589
Columbia, South Carolina 29211-1589
Telephone: (803) 734-1330
Facsimile: (803) 734-1397

Robert M. Dudek, Chief Appellate Defender
Wanda H. Carter, Deputy Chief Appellate Defender

April 18, 2013

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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APR 18 2013
SC Court of Appeals

Dear Ms. Kitchings:

In absence of Hugh Ryan, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Patton Adams, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Appellate Defender, Susan B. Hackett, seeks a thirty day extension of time to file the initial brief of appellant and designation of matter. Based on that and his extremely heavy case load, as outlined in the motion, he was unable to complete the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Lisa Campbell
Assistant Director
South Carolina Commission on
Indigent Defense

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County

Kristi Lea Harrington, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JEROD SWINTON,

APPELLANT

Appellate Case No. 2012-212564

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

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Floyd v. State with the Supreme Court on April 17, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremy Richard Phillips v. State in the Supreme Court on April 15, 2013. Counsel filed

the record on appeal in the case of State v. Sam Harold Smith in this Court on April 12, 2013. Counsel had an oral argument with this Court in the case of State v. Ladorrean Collington on April 10, 2013. Counsel had an oral argument with this Court in the case of State v. Sasha Gaskins on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Evelyn Buckle v. State with the Supreme Court on April 4, 2013. Counsel had an oral argument with this Court in the case of State v. Rodrigues Carter on April 3, 2013. Counsel had an oral argument with this Court in the case of State v. Loudin Rohr on April 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Clarence Jenkins with this Court on April 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lamar D. Williams in this Court on March 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Damien Inman with this Court on March 28, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Albert Spann v. State in the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Ray Rice v. State with the Supreme Court on March 25, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Marion Bonds (Cert in the COA) in the Supreme Court on March 21, 2013. Counsel had an oral argument with the Supreme Court in the case of State v. Quashon G. Middleton on March 20, 2013. Counsel filed the petition for rehearing in the case of State v. Andrew Lee Harrison in the Supreme Court on March 14, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stephen Paul Casillo v. State in the Supreme Court on March 12, 2013. Counsel filed the petition for

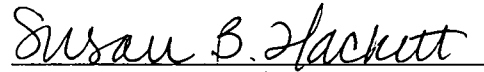
writ of certiorari and accompanying appendix in the case of George R. Lindsey, Jr. v. State with the Supreme Court on March 11, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ernest Dinkins v. State with the Supreme Court on March 7, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nicholas Brown v. State in the Supreme Court on March 6, 2013. Counsel had an oral argument in the Supreme Court in the case of State v. John Herndon on March 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Edward Andrell Whitner v. State in the Supreme Court on March 5, 2013. Counsel had an oral argument in this Court in the case of State v. Anthony Hackshaw on March 4, 2013. Counsel filed the record on appeal in the case of State v. Kendrick Littlejohn in this Court on March 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kelvin Michael Bowen, Jr. in this Court on February 27, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Kenneth S. Williams (Cert in the COA) in the Supreme Court on February 26, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Freda Luker v State in the Supreme Court on February 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alton Docherty v. State in the Supreme Court on February 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jose Alvarenga v. State in the Supreme Court on February 19, 2013.

3. This request is made in good faith, and not for purposes of delay.

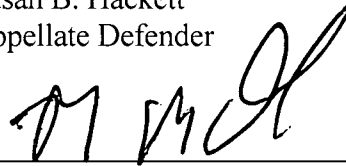
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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,



Susan B. Hackett
Appellate Defender



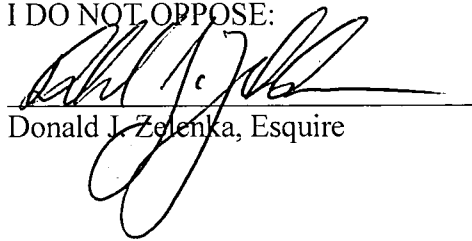
Robert M. Dudek
Chief Appellate Defender



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

April 18, 2013

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire