

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dillon County

Steven H. John, Circuit Court Judge

RECEIVED

APR 25 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ROBERT LEE NELSON,

APPELLANT

Appellate Case No. 2012-212640

**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 is preparing to file the petition for rehearing in the case of State v. Anthony Hackshaw with this Court today, April 25, 2013. Counsel is preparing to file the petition for rehearing in the case of State v. Connie Dumas in this Court today, April 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case

of State v. Jeffrey Dodd Thomas with this Court on April 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremey Durant v. State with the Supreme Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Derringer Young in this Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Devontay Henson with this Court on April 23, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Stevie Lamont Aiken (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Kendrick Dennis (Cert in the COA) in the Supreme Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case Ricky Dean Duncan v. State in the Supreme Court on April 22, 2013. 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.

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

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 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
Susan B. Hackett
Appellate Defender

Robert M. Dudek
Robert M. Dudek
Chief Appellate Defender
T. Patton Adams, IV
T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

April 25, 2013

I DO NOT OPPOSE:

Salley W. Elliott, Salley W. Elliott, Esquire