

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Fairfield County

Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

MAY 08 2013

THE STATE,

SC Court of Appeals
RESPONDENT,

V.

MICHAEL D. WILLIAMS,

APPELLANT

Appellate Case Number 2012-212501

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

The undersigned counsel would respectfully request a **final thirty-day extension, until June 8, 2013**, 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. **Counsel recognizes that the previous extension for this case was a final extension; however, counsel has been unable to complete this initial brief of appellant and designation of matter. Counsel is currently working on a reply to the State's return in the capital case of Marion Lindsey v. State, in which the State's**

return is 114 pages and the appendix exceeds 3,900 pages. In the past two weeks, counsel filed two petitions for certiorari with the Supreme Court, had two oral arguments in the Supreme Court, and by the close of business today, will have filed two final briefs in the Supreme Court, one of which, Richard Sims v. State, was in its original jurisdiction, counsel was appointed less than thirty days ago, and could not be extended. Counsel will file the brief with this Court, if possible, earlier than the thirty (30) day extension requested, and Counsel has discussed the number of extensions in this case with Chief Appellate Defender, Robert Dudek. Counsel expects to file this brief by May 22, 2013.


2. Counsel is currently working on a death penalty case in Marion Bowman v. State. Today counsel will file the Brief of Respondent with the Supreme Court in State v. Robert Watkins. On Monday, May 6, 2013, counsel filed the Brief of Appellant with the Supreme Court in Richard Sims v. State. Counsel had an oral argument in the case of State v. James Miller in the Supreme Court on Thursday, May 2, 2013. Counsel had an oral argument in the case of State v. Paris Avery in the Supreme Court on Tuesday, April 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Terrence A. Baker v. State and James Corbett v. State both in the Supreme Court on Monday, April 29, 2013. Counsel filed a **Petition for Writ of Certiorari with the United States Supreme Court** in the case of Danny Brown v. State of South Carolina on Tuesday, April 23, 2013. On Friday, April 12, 2013, counsel filed the brief of appellant and designation of matter in State v. Steven Kranendonk in this Court. On Thursday April 11, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Barbare v. State in the Supreme Court. On Wednesday, April 10, 2013, counsel filed

the brief of appellant and designation of matter in State v. Tyris Bernard Glover in this Court. On Monday April, 8 2013, counsel filed the initial brief of appellant and designation of matter In the interest of Bryson W., A Minor in this Court. On Thursday, April 4, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Angel Gonzales v. State in the Supreme Court. On Monday, March 25, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery Augustine v. State in the Supreme Court. On Friday, March 22, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Boyce Lee Nesbitt v. State in the Supreme Court. On Thursday March 21, 2013, counsel filed the initial brief of appellant and designation of matter in In the interest of Tyairy G., A Minor in this Court. On Friday, March 15, 2013, counsel filed the brief of appellant and record on appeal in State v. Antwon Byars in this Court. Counsel also filed the initial brief of appellant and designation of matter in State v. Henry Gray in this Court. On Monday, March 11, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adrian A. Allen v. State in the Supreme Court. Wednesday, March 6, 2013, counsel filed the brief of appellant and record on appeal in State v. Kurt Kalani Sparks in this Court. On Friday, March 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sherman Dewalt v. State in the Supreme Court.

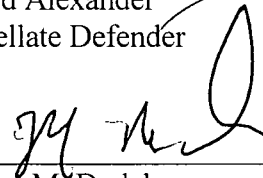
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until June 8, 2013, in which to file the initial brief of appellant and designation of matter in this case. However, as stated above counsel plans to file this initial brief of appellant and designation of matter on or before May 22, 2013.** 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.

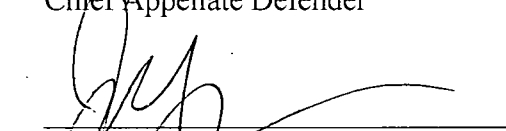
Respectfully submitted,



David Alexander
Appellate Defender



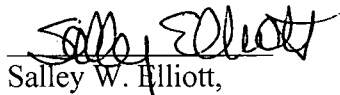
Robert M. Dudek
Chief Appellate Defender



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

May 8, 2013

I DO NOT OPPOSE:


Salley W. Elliott,