

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Berkeley County  
Kristi Lea Harrington, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

MAY 15 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MICHAEL C. ANDES,

APPELLANT

APPELLATE CASE NO. 2011-204706

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

Counsel for Michael C. Andes respectfully requests a **final extension of thirty (30) days until June 14, 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 final 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, May 15, 2013. The Court has granted counsel four previous extensions.

2. Counsel for Mr. Andes 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 his caseload, counsel hopes that no further extension requests will be required.

3. On May 14, 2013, counsel held an oral argument in State v. Brittany Johnson before this Court. On May 13, 2013, counsel filed a petition for writ of certiorari and accompanying appendix

in Billy Nathan Lee v. State with the Supreme Court. On May 7, 2013, counsel held oral arguments in State v. Ronald McCauley and State v. Christopher Murray before this Court. On April 26, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Jonathan Byers v. State in the Supreme Court. On April 25, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in West Webb Mitchum v. State in the Supreme Court. On April 15, 2013, counsel filed a brief of appellant and designation of matter in State v. Ricky Bowman in this Court. On April 9, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Montag Webb v. State in the Supreme Court. On April 8, 2013, counsel filed a brief of appellant and record on appeal in State v. Jabbarie Brown in this Court. On April 2, 2013, counsel held an oral argument in State v. Brandon Rogers before this Court. On April 1, 2013, counsel filed a brief of appellant and record on appeal in State v. Eric Shoddy in this Court; and counsel filed a petition for writ of certiorari and accompanying appendix, along with a petition for writ of certiorari pursuant to Austin v. State in Randy Bryant v. State in the Supreme Court. On March 22, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Antonio Lamont Boykin v. State in the Supreme Court; and counsel filed a Johnson petition for writ of certiorari and accompanying appendix in David Fitch v. State with the Supreme Court. On March 8, 2013, counsel filed the brief of appellant and designation of matter in State v. Crystal Nicole Thomas with this 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 thirty (30) day extension until June 14, 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,

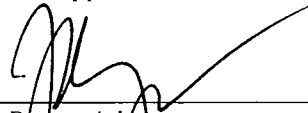


Breen R. Stevens  
Appellate Defender

Attorney for Appellant



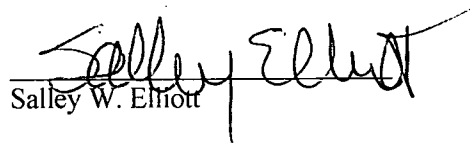
Robert M. Dudek  
Chief Appellate Defender



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

This 15th day of May 2013.

I consent:



Salley W. Elliott