

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Oconee County
Alexander S. Macaulay, Circuit Court Judge

RECEIVED
MAY 15 2013
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

CHARLES M. HARRIS,

APPELLANT

Appellate Case No. 2012-212797

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

The undersigned counsel respectfully requests a **final thirty day extension, until June 14, 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 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 has an oral argument in the case of State v. William Brockmeyer, where he is co-counsel with Miles Coleman and Matt Bogan of Nelson Mullins Riley & Scarborough, LLP, in the Supreme Court today, May 15, 2013. In addition, Counsel had oral arguments in the cases of State v. Robert C. Johnson and State v. Andre Richardson in this Court yesterday, May

14, 2013. Counsel is working on the reply to the state's return in the death penalty case of Marion Lindsey v. State. Additionally, Counsel is working on the initial brief of appellant and designation of matter in the case of State v. Bobby McCann. Counsel filed the initial reply brief of appellant in the case of State v. Jamaal Hinson, with Co-Counsel Reid Sherard of Nelson Mullins Riley & Scarborough, LLP, in this Court on May 8, 2013. In addition, Counsel filed the petition for rehearing in the case of In the Interest of David L., a Minor Under the Age of Seventeen, with Co-Counsel E. Charles Grose, Jr., in the Supreme Court on May 8, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Craig Brannon v. State in the Supreme Court on May 6, 2013. Counsel filed the petition for rehearing in the case of State v. Andre Tayson Boone in this Court on May 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Peters in this Court on April 26, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Victor White in this Court on April 24, 2013. Counsel filed the petitioner's reply brief in the case of Gene Tony Cooper v. State in the United States Supreme Court on April 23, 2013. Counsel had an oral argument in the case of In the Interest of David L., a Minor Under the Age of Seventeen (with co-counsel Charles Grose) in the Supreme Court on April 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jevon Brown in this Court on April 10, 2013. Counsel filed the petition for rehearing in the **death penalty** case of State v. Brad Sigmon in the Supreme Court on April 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Asherdon Holloway in this Court on April 3, 2013. Counsel had an oral argument in the case of State v. Andre Tavson Boone in this Court on April 1, 2013. In addition, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frankie Williams v. State in the Supreme Court on April 1, 2013. Counsel attended and presented at the Best Practices Seminar in Charleston on March

25, 2013, sponsored by the South Carolina Commission on Indigent Defense. Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Calvin Prince and State v. Patrick Guess in this Court on March 18, 2013. Counsel filed the return to the state's rehearing petition in the **death penalty** case of State v. Raymondeze Rivera in the Supreme Court on March 15, 2013. Additionally on March 15, 2013, Counsel filed the brief of appellant in the case of State v. Nicholas Brannon in this Court. Counsel filed the petition for rehearing in the **death penalty** case of State v. Stephen Christopher Stanko in the Supreme Court on March 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Shuler in this Court on March 8, 2013. Counsel filed the petition for rehearing in the case of State v. Kendrick Taylor in this Court on March 7, 2013. Counsel had an oral argument in the case of State v. Donald Petty in this Court on March 5, 2013. Counsel had an oral argument in the case of State v. Gerald Pitts in this Court on March 4, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Derrick McDonald, and the reply to the return to the petition for writ of certiorari in the case of State v. Randy Vickery, both in the Supreme Court (from the COA) on March 1, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

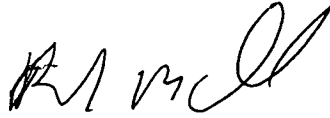
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

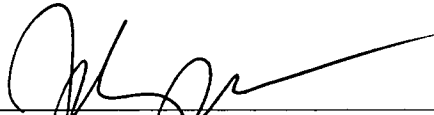
WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until June 14, 2013**. Counsel respectfully requests that the time limits for filing the

initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



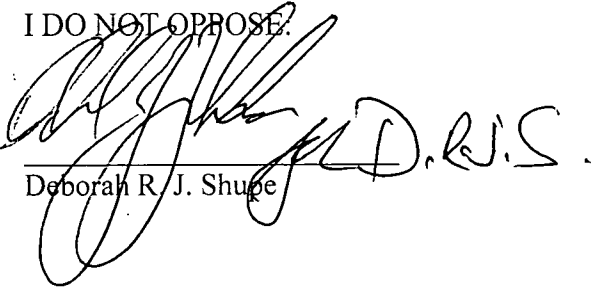
Robert M. Dudek
Chief Appellate Defender



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

May 15, 2013

I DO NOT OPPOSE.



D.R.J.S.

Deborah R. J. Shupe