

201195246

POS 6-30-11
10m 7-1-11

**THE STATE OF SOUTH CAROLINA
In the Appellate Court**

**APPEAL FROM HAMPTON COUNTY
Court of General Sessions**

Perry M. Buckner III, Circuit Court Judge

Case No(s): 2008-GS-25-0588, 2008-GS-25-0589, 2008-GS-25-0590

The State,

Respondent.

v.

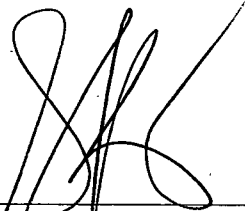
Joseph Davis,

Appellant.

NOTICE OF APPEAL

Joseph Davis appeals his conviction and sentence in this case. The sentence was imposed by the Honorable Perry M. Buckner, III. on June 29, 2011.

Date: June 30, 2011


Stephanie Smart-Gittings, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924
Attorney for Appellant

Other Counsel of Record:
Sean Thornton, Tameaka Legette
Solicitor for 14th Judicial Circuit
PO Box 546
Hampton, S.C. 29924
Attorney for Respondent

RECEIVED
JUL 06 2011

SC Court of Appeals

JD

In the Appellate Court

**APPEAL FROM HAMPTON COUNTY
Court of General Sessions**

Perry M. Buckner, III., Circuit Court Judge

Case No(s): 2008-GS-25-0588, 2008-GS-25-0589, 2008-GS-25-0590

The State,

Respondent.

v.

Joseph Davis,

Appellant.

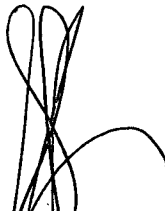
PROOF OF SERVICE

I certify that I have served the Notice of Appeal on the below listed respondents by depositing a copy of it in the United States Mail, postage prepaid, on June 30, 2011, addressed to:

Sean Thornton, Esq.
Tameaka Legette, Esq.
Solicitor for 14th Judicial Circuit
P.O. Box 546
Hampton, S.C. 29924

Henry McMaster, Esq.
Attorney General
P.O. Box 11549
Columbia, S.C. 29211

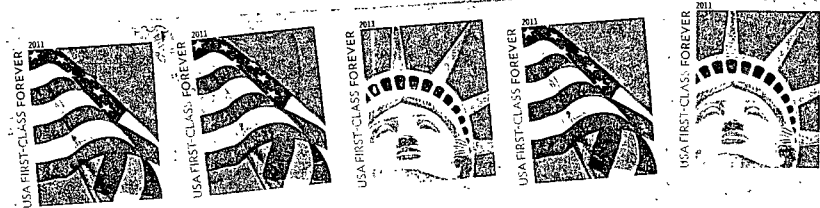
June 30, 2011


Stephanie Smart-Gittings, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924

RECEIVED

JUL 06 2011

SC Court of Appeals



Kenneth A. Richstad
Court
olina Court of Appeals
e Box 11629
South Carolina 29211

OFFICE OF THE PUBLIC DEFENDER
FOURTEENTH JUDICIAL CIRCUIT
ALLEDALE, HAMPTON & JASPER COUNTIES
1 COURTHOUSE SQUARE, ELM STREET, SECOND FLOOR
POST OFFICE BOX 506
HAMPTON, SOUTH CAROLINA 29924
Tel. (803) 914-2240 – Fax (803) 914-2244

June 30, 2011

Via Regular Mail

Mr. Kenneth A. Richstad
Clerk, The S.C. Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: *State v. Joseph Davis*
Warrant/Ticket No(s): I813726, I813727, I813728

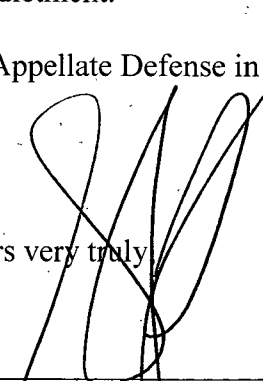
Dear Mr. Richstad:

Enclosed you will find the original Notice of Appeal in the above matter along with Proof of Service upon Respondents. The Notice has been filed with the Hampton County Clerk of Court. Also enclosed is a copy of the indictment.

These matters are being referred to the Office of Appellate Defense in that we were participating as Court appointed counsel at trial.

Thank you for your attention to this matter.

Yours very truly,


Stephanie Smart-Gittings, Esq.
Public Defender's Office
Allendale and Hampton Counties
P.O. Box 506
Hampton, S.C. 29924

Enclosure

Cc: Office of the Fourteenth Circuit Solicitor
Office of the Attorney General
Office of the Appellate Defense

RECEIVED

JUL 06 2011

SC Court of Appeals

WITNESSES

Special Agent Teddy Cone, Jr.

Solomon

Handwritten notes and scribbles

ARREST WARRANT NUMBER

18 3

ACTION OF GRAND JURY

TRUE BILL

Robert H. Dunlap, Jr.

Foreperson of Grand Jury
Date: DEC. 05 2008

V ST Guilty

Christine H. James

Foreperson of Petit Jury
Date: 6/29/2011

INDICT.

DOCKET NO. 2008GS25-0588

The State of South Carolina

County of Hampton

COURT OF GENERAL SESSIONS

December, Term 2008

THE STATE

vs.

Joseph Davis

Indictment for

Murder / Murder

SC Code: 16-03-0010; 16-03-0020
CDR Code: 0116

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)

INDICTMENT

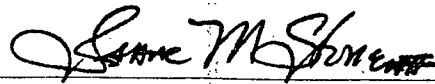
2008GS25-588

At a Court of General Sessions, convened on December 5, 2008, the Grand Jurors of Hampton County present upon their oath:

Murder / Murder

That in Hampton County on or about June 23, 2007, with malice aforethought, Joseph Davis did kill and murder Ronnie Wooten by means of shooting him with a gun, and that Ronnie Wooten did die in Hampton County as a proximate result thereof on June 23, 2007; in violation of Section 16-3-10 of the South Carolina Code of Laws (1976), as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Isaac M. Stone, III
Solicitor, 14th Judicial Circuit

WITNESSES

✓ Special Agent Teddy Cone, Jr.

Solomon

[Handwritten notes and signatures in the witness column]

ARREST WARRANT NUMBER

18 .7

ACTION OF GRAND JURY

TRUE BILL

Robert H. Srinick Jr.
Foreperson of Grand Jury

Date: DEC 05 2008

VERDICT
Guilty

Christine H James
Foreperson of Petit Jury

Date: 6/29/2011

INDICT

DOCKET NO. 2008GS25-0589

The State of South Carolina

County of Hampton

COURT OF GENERAL SESSIONS

December, Term 2008

THE STATE

vs.

Joseph Davis

Indictment for

Burglary / Burglary (Violent) (After 06/20/85) -
Second degree

SC Code: 16-11-0312(B)
CDR Code: 0086

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)

INDICTMENT

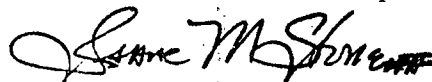
2008GS25-589

At a Court of General Sessions, convened on December 5, 2008, the Grand Jurors of Hampton County present upon their oath:

Burglary / Burglary (Violent) (After 06/20/85) - Second degree

That in Hampton County, on or about June 23, 2007 the Defendant, Joseph Davis, did enter the building of Ronnie Wooten located at 1550 Browning Gate Road without consent and with the intent to commit a crime therein. That, in addition, entry occurred at night and or the Defendant was armed with a deadly weapon or explosive and or the Defendant caused physical harm or injury to a non co-defendant during the commission of the crime; in violation of Section 16-11-312(B) of the South Carolina Code of Laws (1976, as amended).

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Isaac M. Stone, III
Solicitor, 14th Judicial Circuit

WITNESSES

Special Agent Teddy Cone, Jr.

Special Agent J.S. Evans ✓

[Vertical signature]

ARREST WARRANT NUMBER

28

ACTION OF GRAND JURY

TRUE BILL

[Signature]

Foreperson of Grand Jury

Date: ~~APR 25 2009~~ JUN 25 2009

INDICT Guilty

[Signature]

Foreperson of Petit Jury

Date: 6/29/2011

INDICT

DOCKET NO. 2008GS25-0590

The State of South Carolina

County of Hampton

COURT OF GENERAL SESSIONS

June, Term 2009

THE STATE

vs.

Joseph Davis

Indictment for

Robbery / Armed Robbery, robbery while armed
or allegedly armed with a deadly weapon

SC Code: 16-11-0330(A).

CDR Code: 0139

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)

INDICTMENT
2008GS25-590

At a Court of General Sessions, convened on June 25, 2009, the Grand Jurors of Hampton County present upon their oath:

Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly

That on or about June 23, 2007, in Hampton County, South Carolina, the Defendant, Joseph Davis, at 1550 Browning Gate Road, by use of force, threats or intimidation and while armed with a deadly weapon, or while alleging, either by action or words, he was armed, while using a representation of a deadly weapon or other object which a person present during the commission of the robbery reasonably believed to be a deadly weapon, did take and carry away goods and/or monies from the person or immediate presence of Ronnie Wooten with the intent to permanently deprive the victim of possession thereof, in violation of Section 16-11-330(A) of the South Carolina Code of Laws, 1976, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.



Isaac M. Stone, III
Solicitor, 14th Judicial Circuit

2009 JUN 25 10 11 AM
CLERK OF COURT

Q

2



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 15, 2011

Stephanie Smart-Gittings, Esquire
Hampton Co. Public Defender
P.O. Box 506
Hampton, SC 29924

Re: The State v. Davis, Joseph
2011195246

Dear Ms. Smart-Gittings:

This office has received your Notice of Appeal in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I do wish to call the attention of the parties to the attached order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.

Very truly yours,

V. Claire Allen

DEPUTY CLERK

VCA/dw

cc: Chief Appellate Defender Robert M. Dudek
Assistant Deputy Attorney General Salley W. Elliott
Tameaka A. Legette, Esquire



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA, 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

July 15, 2011

Stephanie Smart-Gittings, Esquire
Hampton Co. Public Defender
P.O. Box 506
Hampton, SC 29924

Re: The State v. Davis, Joseph
2011195246

Dear Ms. Smart-Gittings:

We have received your Notice of Appeal in the case noted above. This case will be docketed in the Court of Appeals and all communications concerning this case, including motions and petitions, initial and final briefs, and the Record on Appeal, should be directed to and filed in this Court. For all filings, please note the requirements of Rule 267(a) of the South Carolina Appellate Court Rules, and be further advised that Court of Appeals policy requires the firm name of any counsel shown must be included in his or her address.

Please be advised that pursuant to Rule 602, SCACR and the order of the Chief Justice dated December 12, 1997, if you expect the Office of Indigent Defense to pursue this appeal, you must provide that office with all information required to proceed with this appeal, failing which, this office will consider you counsel of record.

We suggest that large parcels such as copies of final briefs and the Record On Appeal be sent directly to the Court via the street address: 1015 Sumter Street, Columbia, S.C. 29201. Thank you for your attention to this. Failure to file in the proper court may result in the dismissal of your appeal.

PLEASE BE ADVISED that, pursuant to Rule 207 of the South Carolina Appellate Court Rules, the transcript must be ordered within thirty (30) days of the proof of service of the Notice of Appeal and you must provide this Court, opposing counsel, and the Office of Court Administration with all correspondence regarding the transcript. It is also Appellant's responsibility to make satisfactory arrangements (including agreement regarding payment for the transcript) with the Court Reporter for furnishing the transcript. You are reminded of the

notification requirements, Rule 207(a)(5), SCACR, also, please use the Court in writing upon receipt of the transcript.

NOTE: If you believe this case has been improperly filed in the Court of Appeals, by reason of the limitations set forth in S.C. Code Ann. Section 14-8-200(b)(1998), as amended June 1, 1999, notify the Clerk's office of the Court of Appeals immediately. The cited Code Section prohibits the Court of Appeals from hearing appeals in seven classes of cases:

- 1) any final judgment from the circuit court which includes a sentence of death;
- 2) any final judgment from the circuit court setting public utility rates pursuant to Title 58;
- 3) any final judgment involving a challenge on state or federal grounds to the constitutionality of a state law or county or municipal ordinance where the principal issue is the constitutionality of the law or ordinance;
- 4) any final judgment from the circuit court involving the authorization, issuance, or proposed issuance of general obligation debt, revenue, institutional, industrial, or hospital bonds of the state, its agencies, political subdivisions, public service districts, counties, and municipalities or any other indebtedness now or hereafter authorized by Article X of the Constitution of this state;
- 5) any final judgment from the circuit court pertaining to elections and election procedure;
- 6) any order limiting an investigation by a State Grand Jury under S.C. Code Ann. Section 14-7-1630;
- 7) any order of the family court relating to an abortion by a minor under S.C. Code Ann. Section 44-41-33.

Very truly yours,

V. Claire Allen

V. Claire Allen
DEPUTY CLERK

VCA/dw

cc: Chief Appellate Defender Robert M. Dudek
Assistant Deputy Attorney General Salley W. Elliott
Tameaka A. Legette, Esquire



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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

July 20, 2011

Ms. Rebecca H. Hill
Circuit Court Reporter
522 Dowling Avenue
Walterboro, SC 29488

RECEIVED

JUL 20 2011

SC Court of Appeals

Dear Ms. Hill:

Please provide us with the following transcript:

The State v. Joseph Davis

Case #:

08-GS-25-0588-590.

County: Hampton

Date of Trial: June 29, 2011

Presiding Judge: Perry M. Buckner

To ensure prompt payment, please sign and complete the enclosed CID FORM 3500 and include the original criminal case number (Indictment number) where the space is provided.

Please number the lines on the paper from 1-25, and include any and all recorded motions, pre and post-trial. Additionally, please transcribe the jury selection, and the State and defense counsel's opening and closing arguments.

If you are aware of any co-defendants or if the Attorney General's Office has already requested a transcript, please let us know.

Sincerely,

Loriene French
Legal Services Coordinator

cc: S.C. Court of Appeals
Attorney General's Office



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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) 734-1343
Facsimile: (803) 734-1397

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

September 29, 2011

The Honorable Tanya A. Gee
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

Dear Ms. Gee:

The following case falls under the 60 day rule for appeals, and the date we received the transcript is listed to the side.

The State v. Joseph Davis

9/29/2011

I would appreciate you beginning our time limits from the above date, and if you need additional information, or have any questions please contact me.

Thank you for your assistance in this matter.

Sincerely,

Loriene French
Legal Services Coordinator

SC Court of Appeals

SEP 29 2011

RECEIVED

White, Della

From: COA Extensions
Sent: Monday, November 28, 2011 1:49 PM
To: White, Della
Subject: FW: Joseph Davis
Attachments: image001.jpg; image002.gif

154
11.28.11
12.28.11

From: Peggy D. Simons [mailto:dsimons@sccid.sc.gov]
Sent: Monday, November 28, 2011 9:12 AM
To: COA Extensions
Cc: Elliott, Salley; Angela Bennett; Breen Stevens; Sharon A. Graham
Subject: Joseph Davis

Clerk's Office
South Carolina Court of Appeals

Re: The State v. Joseph Davis

Dear Ms. Gee:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court today. However, due to my heavy work-load, I am requesting a thirty day extension in which to serve and file this brief.

By copy of this email, I am informing Salley Elliott, Esquire, of the Attorney General's office of my request.

Sincerely,

Breen R. Stevens
Appellate Defender

***CONFIDENTIALITY NOTICE:** This e-mail and any files transmitted with it are confidential and may contain information which is legally privileged or otherwise exempt from disclosure. They are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipients or otherwise have reason to believe that you have received this message in error, please immediately notify the sender and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.*

The South Carolina Court of Appeals

The State,

Respondent,

v.

Joseph Davis,

Appellant.

The Honorable Perry M. Buckner
Hampton County
Trial Court Case No. 2008-GS-25-00588

ORDER

The request for an extension to serve and file Appellant's Initial Brief and Designation of Matter is granted until December 28, 2011. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc: Appellate Defender Breen R. Stevens
Assistant Deputy Attorney General Salley W. Elliott

FILED

11-30-11 DW

White, Della

From: COA Extensions
Sent: Friday, December 30, 2011 7:17 AM
To: White, Della
Subject: FW: Joseph Davis
Attachments: Elliott, Salley.vcf

From: Salley Elliott [mailto:Selliott@scag.gov]
Sent: Wednesday, December 28, 2011 11:21 AM
To: Felicia K. Berry; COA Extensions
Cc: Angela Bennett; Don Zelenka; Peggy D. Simons
Subject: Re: Joseph Davis

I believe this appeal is being handled by Don Zelenka. Please contact Don for consent.

Salley W. Elliott
Assistant Deputy Attorney General
South Carolina Attorney General's Office
(803) 734-3727
selliott@scag.gov

>>> "Felicia K. Berry" <FBerry@sccid.sc.gov> 12/28/2011 10:42 AM >>>

Clerk's Office
South Carolina Court of Appeals

Re: The State v. Joseph Davis

Dear Ms. Gee:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court today. However, due to my heavy work-load, I am requesting a thirty day extension in which to serve and file this brief.

By copy of this email, I am informing Salley Elliott, Esquire, of the Attorney General's office of my request.

Sincerely,

Breen Stevens
Appellate Defender

--- Scanned by M+ Guardian Messaging Firewall ---

White, Della

From: COA Extensions
Sent: Friday, December 30, 2011 7:16 AM
To: White, Della
Subject: FW: Joseph Davis

2nd
A/B
12.28.11
1.27.12

From: Felicia K. Berry [mailto:FBerry@sccid.sc.gov]
Sent: Wednesday, December 28, 2011 10:42 AM
To: COA Extensions
Cc: Elliott, Salley; Angela Bennett; Peggy D. Simons
Subject: Joseph Davis

Clerk's Office
South Carolina Court of Appeals

Re: The State v. Joseph Davis

Dear Ms. Gee:

The Initial Brief of Appellant and Designation of Matter in the above case are due to be served and filed with the Court today. However, due to my heavy work-load, I am requesting a thirty day extension in which to serve and file this brief.

By copy of this email, I am informing Salley Elliott, Esquire, of the Attorney General's office of my request.

Sincerely,

Breen Stevens
Appellate Defender

The South Carolina Court of Appeals

The State,

Respondent,

v.

Joseph Davis,

Appellant.

The Honorable Perry M. Buckner
Hampton County
Trial Court Case No. 2008-GS-25-00588

ORDER

The request for an extension to serve and file Appellant's Initial Brief and Designation of Matter is granted until January 27, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must be based on a showing of good cause.

JOHN CANNON FEW, CHIEF JUDGE

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc: Appellate Defender Breen Stevens
Assistant Deputy Attorney General Salley W. Elliott

FILED

1-4-12 DW

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

3rd
3-1
1-27-12
ORIGINAL

THE STATE,

RESPONDENT,

RECEIVED

JAN 27 2012

SC Court of Appeals

V.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis respectfully requests an extension of thirty (30) days 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 third 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 January 27, 2012. The Court has granted counsel two previous extensions.

2. Counsel for Mr. Davis 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. Counsel is preparing to file the initial brief of appellant and designation of matter in the case of State v. Robert Johnson in this Court today, January 27, 2012. On January 25, 2012, counsel

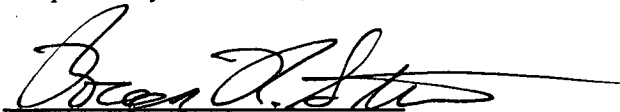
had an oral argument in the case of State v. Phillip Coker in this Court. On January 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Cordelle Washington in this Court. On January 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Azikiwe Archie in this Court. On January 17, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Parsons in this Court. On January 12, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Henry Ross in this Court. On January 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Elliott in this Court. On December 30, 2011, counsel filed the initial brief of appellant and designation of matter in the case of State v. Carmichael Glenn in this Court. On December 21, 2011, counsel filed the initial brief of appellant and designation of matter in the case of State v. Willie Horry in this Court. On December 14, 2011, counsel filed the initial brief of appellant and designation of matter in the cases of State v. Nelson Miralda and State v. George Brown in this Court. On December 9, 2011, counsel is filed the initial brief of appellant and designation of matter in the case of State v. Cordaro Cunningham in this Court. On December 7, 2011, counsel had an oral argument in the case of State v. James Norton in this Court. On December 5, 2011, counsel filed the initial brief of appellant and designation of matter in the case of State v. James Eubanks in 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.

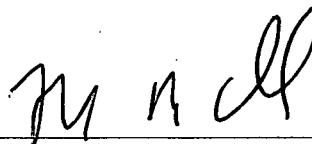
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,



Breen R. Stevens
Appellate Defender

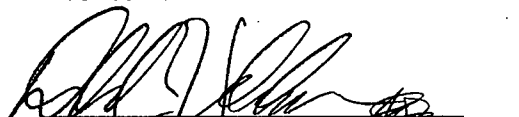
Attorney for Appellant



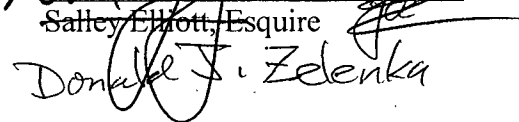
Robert M. Dudek
Chief Appellate Defender

This 27th day of January, 2012.

I consent:

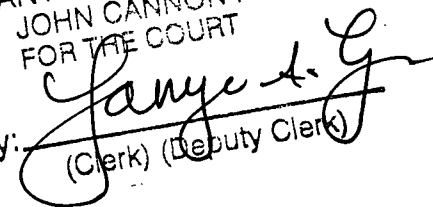


Salley Elliott, Esquire



Donald J. Zdenka

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: 
(Clerk) (Deputy Clerk)

FILED

2.2.12 av



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

February 2, 2012

Appellate Defender Breen Stevens
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Davis, Joseph

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

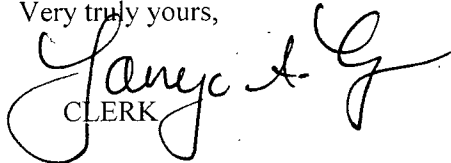
John C. Few, C.J.
For the Court

By s/ Tanya A. Gee
Clerk

February 2, 2012."

The Appellant's Initial Brief and Designation of Matter are now due on February 27, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,


CLERK

TAG/dw

cc: Senior Assistant Deputy Attorney General Salley W. Elliott

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

4th
2.27.12
3.28.12
RECEIVED

FEB 27 2012

SC Court of Appeals
RESPONDENT,

THE STATE,

v.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis respectfully requests an extension of thirty (30) days 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 fourth 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. The Court has granted counsel three previous extensions.

2. Counsel for Mr. Davis 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 February 21, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Christopher Strobe v. State and Labrontae Agnew v. State in the Supreme Court. On

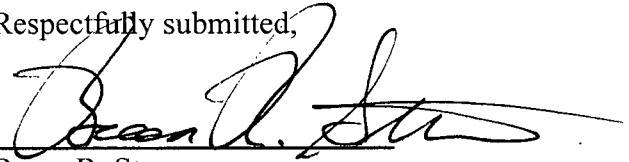
February 16, 2012, counsel had an oral argument in the case of State v. Shawn Miller in this Court. On February 13, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Stanqwannner Wiggins in this Court. On February 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rico Brown in this Court. On February 7, 2012, counsel had an oral argument in the case of State v. Joey Ellis in the Supreme Court. On February 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald McCauley in this Court. On January 30, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Raymond Flores in this Court. On January 27, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Johnson in this Court. On January 25, 2012, counsel had an oral argument in the case of State v. Phillip Coker in this Court. On January 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Cordelle Washington in this Court. On January 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Azikiwe Archie in this Court. On January 17, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Parsons in this Court. On January 12, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Henry Ross in this Court. On January 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Elliott in 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.

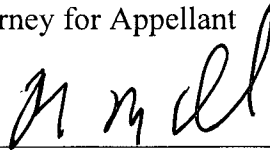
WHEREFORE, the undersigned counsel would respectfully request an additional thirty (30) day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

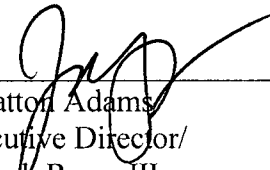


Breen R. Stevens
Appellate Defender

Attorney for Appellant



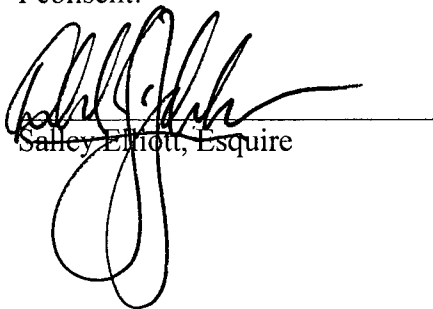
Robert M. Dudek
Chief Appellate Defender



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

This 27th day of February, 2012.

I consent:



Sally Elliott, Esquire

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: V. Claire Allen
(Clerk) (Deputy Clerk)

FILED
2.1.12 BK



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

March 1, 2012

Appellate Defender Breen Stevens
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Davis, Joseph
2011195246

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

John C. Few, C.J.
For the Court

By s/ V. Claire Allen
Deputy Clerk

March 1, 2012."

The Appellant's Initial Brief and Designation of Matter are now due on March 28, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Claire Allen
DEPUTY CLERK

VCA/dw

cc: Senior Assistant Deputy Attorney General Salley W. Elliott

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

5/15
3.28.12
4.2
SC Court of Appeals
MAR 28 2012
RECEIVED

THE STATE,

RESPONDENT,

v.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis respectfully requests a **final extension of thirty (30) days until April 27, 2012** 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. The Court has granted counsel four previous extensions.

2. Counsel for Mr. Davis 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 March 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Samuel Dingle in this Court. On March 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Rogers in this Court. On March 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bernaldino Ocasio in this Court. On March 16, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Watson in this Court. On March 12, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Claude Jones v. State in the Supreme Court. On March 5, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Allen Capers and the brief of petitioner in the case of State v. Jason Black in the Supreme Court. On February 29, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Randy Blythe in this Court. On February 22, 2012, counsel filed the Motion to Supplement the Appendix in the case of Damon Jackson v. State in the Supreme Court. On February 21, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Christopher Strobe v. State and the petition for writ of certiorari and Brief of Appellant Pursuant to White v. State in the case of Labrontae Agnew v. State in the Supreme Court. On February 16, 2012, counsel had an oral argument in the case of State v. Shawn Miller in this Court. On February 13, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Stanqwanner Wiggins in this Court. On February 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rico Brown in this Court. On February 7, 2012, counsel had an oral argument in the case of State v. Joey Ellis in the Supreme Court. On February 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald McCauley in this Court.

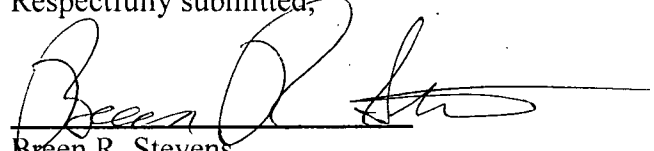
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

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.

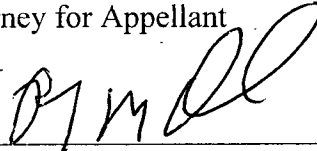
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until April 27, 2012** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

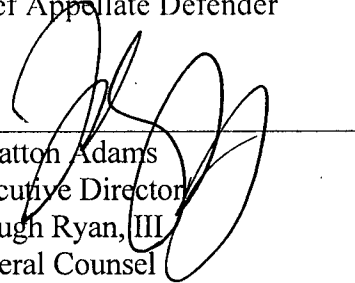


Breen R. Stevens
Appellate Defender

Attorney for Appellant



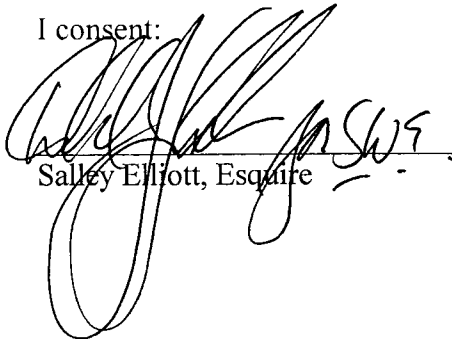
Robert M. Dudek
Chief Appellate Defender



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

This 28th day of March, 2012.

I consent:



Salley Elliott, Esquire

FILED
3.30.12 DLW

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: Jenny A. Kitching
(Clerk) (Deputy Clerk)



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX (803) 734-1839
www.sccourts.org

March 30, 2012

Appellate Defender Breen Stevens
South Carolina Commission
on Indigent Defense
P O Box 11589
Columbia, SC 29211

Re: The State v. Davis, Joseph
2011195246

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

John C. Few, C.J.
For the Court

By s/ Jenny A. Kitchings
Clerk

March 30, 2012."

The Appellant's Initial Brief and Designation of Matter are now due on April 27, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

Jenny A. Kitchings
CLERK

JAK/dw

cc: Senior Assistant Deputy Attorney General Salley W. Elliott

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

6th ORIGINAL

4.27.12

RECEIVED

APR 27 2012

SC Court of Appeals

RESPONDENT,

THE STATE,

v.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis respectfully requests a **final extension of twenty (20) business days until May 25, 2012** 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. The Court has granted counsel five previous extensions. Counsel had requested a prior extension he intended to be the last but subsequent events—including an oral argument—prevented counsel from meeting this deadline.

2. Counsel for Mr. Davis 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 April 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brittany Johnson in this Court. On April 20, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Chavis Pullen in this Court. On April 18, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Juan Ramos v State and Roger Legette v. State in the Supreme Court. On April 12, 2012, counsel filed the amended initial brief of appellant and designation of matter in the case of State v. Brandon Simmons in this Court and had an oral argument in the case of State v. Edward Twyman in this Court. On April 9, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Dana Merritt v. State in the Supreme Court. On April 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Joseph Cobb in this Court. On April 4, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Timothy Hester v. State in the Supreme Court. On March 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Samuel Dingle in this Court. On March 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Rogers in this Court. On March 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bernaldino Ocasio in this Court. On March 16, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Watson in this Court. On March 12, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Claude Jones v. State in the Supreme Court. On March 5, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Allen Capers and the brief of petitioner in the case of State v. Jason Black in the Supreme Court.

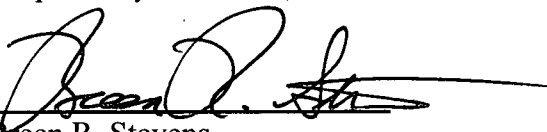
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

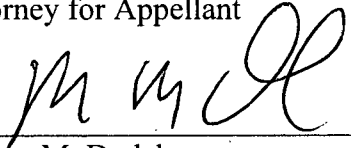
hopefully become more manageable in the near future, and less extensions will need to be requested.

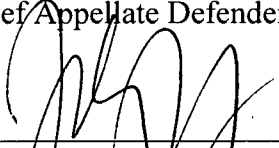
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final twenty (20) business day extension until May 25, 2012** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

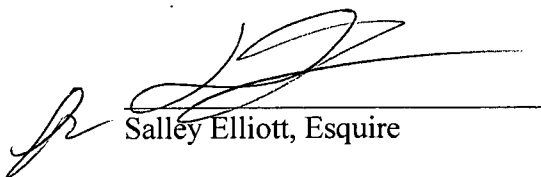

Breen R. Stevens
Appellate Defender

Attorney for Appellant

Robert M. Dudek
Chief Appellate Defender

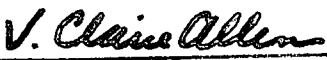

T. Patton Adams
Executive Director
J. Hugh Ryan, III
General Counsel

This 27th day of April, 2012.

I consent:


Sally Elliott, Esquire

GRANTED
JOHN CANNON FEW, C.J.
FOR THE COURT

By: 
~~(Clerk)~~ (Deputy Clerk)



The South Carolina Court of Appeals

JENNY ABBOTT
KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 11, 2012

Mr. Breen Richard Stevens
1330 Lady St., Ste. 401
Columbia SC 29201

Re: The State v. Davis, Joseph
Appellate Case No. 2011-195246

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted.

John C. Few, C.J.
For the Court

By s/ V. Claire Allen
Deputy Clerk

May 11, 2012."

The Appellant's Initial Brief and Designation of Matter are now due on May 25, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Claire Allen

DEPUTY CLERK

cc: Salley W. Elliott

Granted. No further extensions will be granted.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

7th

ORIGINAL

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

Joseph M. Curleton AS

THE STATE,

RECEIVED

MAY 25 2012

RESPONDENT,

SC Court of Appeals

v.

JOSEPH DAVIS,

APPELLANT

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

Counsel for Joseph Davis respectfully requests a **final extension of fifteen (15) business days until June 15, 2012** 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. The Court has granted counsel six previous extensions. Counsel had requested a prior extension he intended to be the last but subsequent events—including an oral argument—prevented counsel from meeting this deadline.

2. Counsel for Mr. Davis 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 22, 2012, counsel had an oral argument in the case of State v. Clifford Wylie in the Supreme Court. On May 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Tevon Jackson in this Court. On May 14, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Jeffery Bates v. State in the Supreme Court. On May 11, 2012, counsel filed the Anders brief of appellant and record on appeal in the cases of State v. Jeron Cook and State v. David Ancrum in this Court today, May 11, 2012. On May 4, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Frankie Gantt v. State in the Supreme Court. On May 3, 2012, counsel filed the initial reply brief of appellant in the case of State v. Mark Elliott in this Court. On April 30, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Melvin Thomason v. State in the Supreme Court. On April 26, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Brittany Johnson in this Court. On April 20, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Chavis Pullen in this Court. On April 18, 2012, counsel filed the petition for writ of certiorari and appendix in the cases of Juan Ramos v State and Roger Legette v. State in the Supreme Court. On April 12, 2012, counsel filed the amended initial brief of appellant and designation of matter in the case of State v. Brandon Simmons in this Court and had an oral argument in the case of State v. Edward Twyman in this Court. On April 9, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Dana Merritt v. State in the Supreme Court. On April 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Joseph Cobb in this Court. On April 4, 2012, counsel filed the petition for writ of certiorari and appendix in the case of Timothy Hester v. State in the Supreme Court.

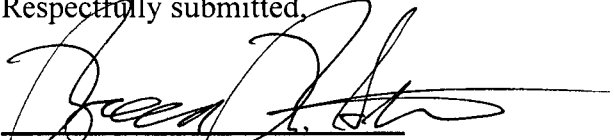
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

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.

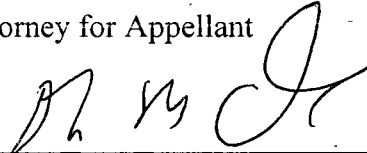
WHEREFORE, the undersigned counsel would respectfully request a **final fifteen (15) business day extension until June 15, 2012** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

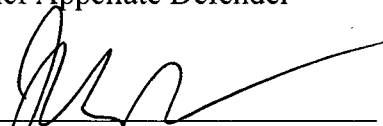


Breen R. Stevens
Appellate Defender

Attorney for Appellant



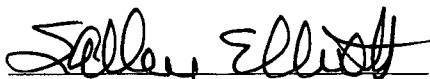
Robert M. Dudek
Chief Appellate Defender



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

This 25th day of May, 2012.

I consent:


Salley Elliott, Esquire



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 07, 2012

Mr. Breen Richard Stevens
1330 Lady St., Ste. 401
Columbia SC 29201

Re: The State v. Davis, Joseph
Appellate Case No. 2011-195246

Dear Counsel:

The following Order has been endorsed on your Petition For Extension Of Time In Which To File The Initial Brief Of Appellant And Designation Of Matter in the above entitled case on appeal.

"Granted. No further extensions will be granted.

Jasper M. Cureton, A.J.
For the Court

June 7, 2012."

The Appellant's Initial Brief and Designation of Matter are now due on June 15, 2012. Pursuant to the Supreme Court's order dated March 18, 2009, any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

Very truly yours,

V. Clair Allen, Deputy

CLERK

cc: Salley W. Elliott

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSEPH DAVIS,

APPELLANT

CERTIFICATE OF SERVICE

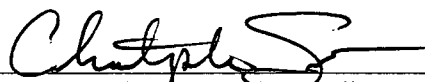
The undersigned attorney hereby certifies that a true copy of the Initial Brief of Appellant and Designation of Matter in the above referenced case has been served upon Donald J. Zelenka, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 15th day of June, 2012.



Breen Richard Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 15th day of June, 2012.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: May 16, 2021.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
Perry M. Buckner, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSEPH DAVIS,

APPELLANT

**DESIGNATION OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:

- (1) True-billed indictments;
- (2) Trial transcript, pp. 1-8; pp. 10-17; pp. 23-88; pp. 91-112; pp. 138-139; pg. 162; pg. 168; pp. 201-252; pp. 256-363; pp. 367-390; pp. 393-473; pp. 477-482; pg. 484; pp. 486-492;
- (3) State Exhibit # 20 (DVD Joseph Davis Interview);
- (4) Defense Exhibit # 6 (Photo);
- (5) Sentence sheets.

I certify that this designation contains no matter which is irrelevant to this appeal.

June 15th, 2012



Breen Richard Stevens
Appellate Defender

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589
(803) 734-1343



ALAN WILSON
ATTORNEY GENERAL

July 30, 2012

Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211


Re: State v. Joseph Davis
Appellate Case No. 2011-195246

Dear Ms. Kitchings:

The Initial Brief of Respondent in the above-referenced case is due to be filed on the above date. I am requesting an extension of thirty (30) days to file and serve Respondent's Brief. Due to counsel's heavy caseload and other court commitments, counsel has been unable to prepare the brief.

By copy of this letter I am serving opposing counsel with this request.

Sincerely,


Anthony Mabry
Assistant Attorney General

AM/lbb

cc: Breen Richard Stevens, Esquire

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Davis, Appellant.

Appellate Case No. 2011-195246

The Honorable Perry M. Buckner
Hampton County
Trial Court Case No. 2008GS2500588

ORDER

The request for an extension to serve and file the Motion to Extend Time to File Respondent's Initial Brief is granted and extended until August 30, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

Breen Richard Stevens

J. Anthony Mabry

FILED
JAB 8/11/12

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

CERTIFICATE OF SERVICE

I, Anthony Mabry, certify that I have served Respondent's Motion to Enlarge Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the InterAgency Mail to counsel for Appellant, addressed as follows:

Breen Richard Stevens
Appellate Defender
S.C. Commission on Indigent Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 29th day of August, 2012.



ANTHONY MABRY
Assistant Attorney General

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

MOTION TO ENLARGE TIME FOR
FILING INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER

The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from August 29, 2012 for a period of thirty (30) days up to and including September 28, 2012. Respondent has been involved in other matters that have prevented the timely filing of this initial brief:

- A. Owens v. State (Capital PCR) reduction of Proposed Order of Dismissal (277 pages) at request of the Honorable "Ned" Miller (in process)
- B. State v. Elbert Wallace (Murder, Armed Robbery, Burglary 1st, ABWIK, Burglary 1st, Armed Robbery, Burglary 2nd)(Initial Brief of Respondent) in process;
- C. Ronald Blanding v. State (Murder) (Federal Habeas Return) *in process*, currently approximately 80 pages;

2nd ext.
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AUG 29 2012
SC Court of Appeals

- D. Manuel Marin v. State (Murder)(IBOR) assisting on brief, filed with this Court;
- E. Brandon Sims v. State (Federal Habeas Return) filed with U.S. District Court;
- F. Eddie Gieger v. State (Federal Habeas Return) filed with U.S. District Court;
- G. Demar Moore v. State (Federal Habeas Return) filed with U.S. District Court;
- H. William Earl Bryant v. State (Federal Habeas Return) filed with U.S. District Ct.;
- I. Dexter Crawford v. State (Federal Habeas Return) filed with U.S. District Ct;

and other matters.

WHEREFORE, for good cause shown, Respondent respectfully requests an extension of a period of time of thirty (30) days up to and including September 28 to complete this Initial Brief of Respondent and Designation of Matter. This is a 2nd extension request.

Respectfully submitted,

ALAN WILSON
Attorney General

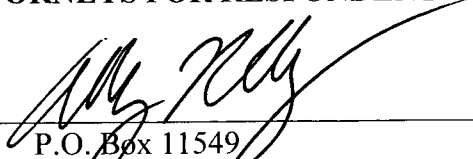
JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Assistant Attorney General

ATTORNEYS FOR RESPONDENT

By: _____


P.O. Box 11549
Columbia, SC 29211
(803) 734-6305

August 29, 2012

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Davis, Appellant.

Appellate Case No. 2011-195246

The Honorable Perry M. Buckner
Hampton County
Trial Court Case No. 2008GS2500588

ORDER

For good cause shown, the request for an extension to serve and file the initial brief of respondent and designation of matter is granted and extended until September 28, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must be based on a showing of good cause and must be signed by the appropriate attorneys.

FOR THE COURT

BY *V. Claire Allen, Deputy*
CLERK

Columbia, South Carolina

cc:

Breen Richard Stevens

J. Anthony Mabry

FILED

8/30/12 AT



ALAN WILSON
ATTORNEY GENERAL

September 28, 2012

RECEIVED
SEP 28 2012
SC Court of Appeals

Honorable Jenny A. Kitching
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: State v. Joseph Davis
Appellate Case No. 2011-195246

Dear Ms. Kitching:

Enclosed please find Motion to Enlarge Time for Filing Initial Brief of Respondent in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,

Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Assistant Attorney General

/lbb
Enclosure

cc: Breen R. Stevens Esquire

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

3rd RIB
9.28.12
10.29.12

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

RECEIVED

SEP 28 2012

COURT OF APPEALS

MOTION TO ENLARGE TIME FOR
FILING INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER

The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from September 28, 2012 for a period of thirty (30) days up to and including October 29, 2012. Respondent has been involved in other matters that have prevented the timely filing of this initial brief:

- (A) Mark Bradwell v. South Carolina (Federal Habeas Return) *filed yesterday;*
- (B) William McMurray v. South Carolina (Federal Habeas Return) *filed yesterday;*
- (C) State v. Stanko (Death Penalty Direct Appeal/Preparation for Oral Argument next week before the S.C. Supreme Court);
- (D) Ronald Blanding v. State (Federal Habeas Return) *filed September 7, 2012;*
- (E) State v. Elbert Wallace (Murder, Armed Robbery, Burglary 1st, ABWIK, Burglary 1st,

Armed Robbery, Burglary 2nd /*Initial Brief of Respondent*) (final drafts of Initial Brief of Respondent to the S.C. Court of Appeals) *in process*;

(F) Freddie Owens v. State (Capital PCR) Reduction of Proposed Order of Dismissal at request of Judge Edward Miller (Original Order 277 pages) *in process*;

(G) Smith v. Mauney (Federal Habeas Return) *filed September 5, 2012*;

and other matters.

WHEREFORE, for good cause shown, Respondent respectfully requests an extension of a period of time of thirty (30) days up to and including October 29th to complete this Initial Brief of Respondent and Designation of Matter. This is a 3rd extension request.

Respectfully submitted,
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

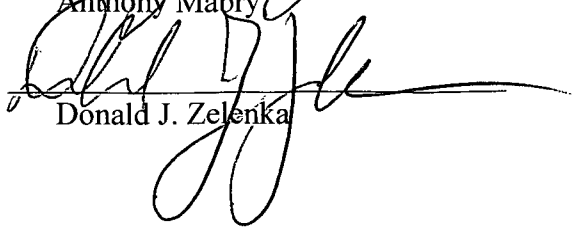
J. ANTHONY MABRY
Assistant Attorney General

P.O. Box 11549
Columbia, SC 29211
(803) 734-6305

ATTORNEYS FOR RESPONDENT

By:


Anthony Mabry


Donald J. Zelenka

September 28, 2012

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, certify that I have served Respondent's Motion to Enlarge Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the InterAgency Mail to counsel for Appellant, addressed as follows:

Breen Richard Stevens
Appellate Defender
S.C. Commission on Indigent Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 28th day of September, 2012.



ANTHONY MABRY
Assistant Attorney General

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Davis, Appellant.

2011-195246

ORDER

For good cause shown, the request for an extension to serve and file the initial brief of respondent and designation of matter is granted and extended until October 29, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:

Breen Richard Stevens

J. Anthony Mabry

FILED

10/1/12 AT



ALAN WILSON
ATTORNEY GENERAL

October 29, 2012

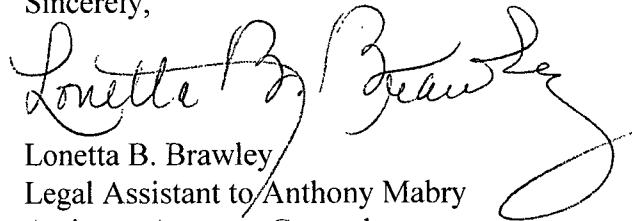
Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

Re: The State v. Joseph Davis
Appellate Case No. 2011-195246

Dear Ms. Kitchings:

Enclosed please find a ***Motion to Enlarge Time for Filing Initial Brief of Respondent and Designation of Matter*** in the above-referenced case for filing. By copy of this letter, I am serving opposing counsel with same.

Sincerely,



Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Assistant Attorney General

/lbb
Enclosure

cc: Breen R. Stevens, Esquire

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

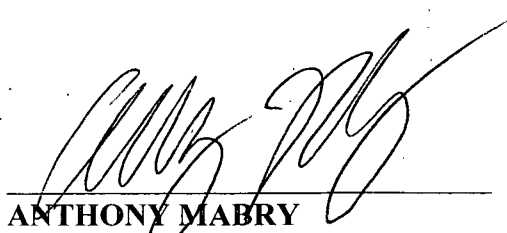
Appellant.

CERTIFICATE OF SERVICE

I, Anthony Mabry, certify that I have served Respondent's Motion to Enlarge Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the InterAgency Mail to counsel for Appellant, addressed as follows:

Breen Richard Stevens
Appellate Defender
S.C. Commission on Indigent Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 29th day of October, 2012.



ANTHONY MABRY
Assistant Attorney General

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

**MOTION TO ENLARGE TIME FOR
FILING INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from October 29, 2012 for a period of thirty (30) days up to and including November 28, 2012. Respondent has completed a portion of this brief, however, Respondent has been involved in other matters that have prevented the timely filing of this initial brief:

(A) State v. Stanko (Death Penalty Direct Appeal/Preparation for and Oral Argument in the S.C. Supreme Court) on ***October 4, 2012***;

(B) State v. Elbert Wallace (Murder, Armed Robbery, Burglary 1st, ABWIK, Burglary 1st, Armed Robbery, Burglary 2nd /Initial Brief of Respondent) ***filed in this Court on or about October 12, 2012***;

(C) Freddie Owens v. State (Capital PCR) Reduction of Proposed Order of Dismissal at request of Judge Edward Miller (Original Order 277 pages) in process;

(D) Bobby Gilbert v. State (Brief of Respondent) *filed in this Court on or about October 15, 2012*;

(E) Anthony Jesus Johnson v. State (Federal Habeas Return)(Murder & ABWIK) in process to be filed Wednesday **of this week** in U.S. District Court;

(F) Edward Meloan v. State (Federal Habeas Return)(Multiple counts of Lewd Act) filed in U.S. District Court;

(G) William McMurray v. State (Federal Habeas Return) filed in U.S. District Court:

(H) Luther Ford v. State (Federal Habeas Action) Brief of Respondent to 4th Circuit, in process; and other matters.

WHEREFORE, for good cause shown, Respondent respectfully requests an extension of a period of time of thirty (30) days up to and including November 28th to complete this Initial Brief of Respondent and Designation of Matter. This is a 4th extension request. Opposing counsel does not object to this request.

Respectfully submitted,

ALAN WILSON
Attorney General

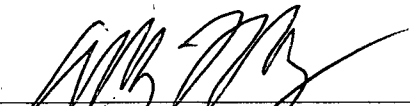
JOHN W. McINTOSH
Chief Deputy Attorney General

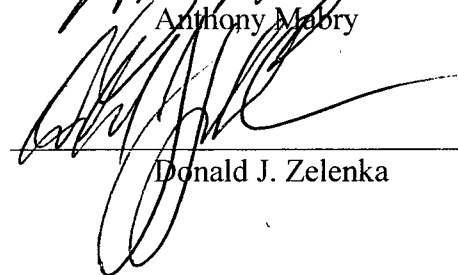
DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Assistant Attorney General

P.O. Box 11549
Columbia, SC 29211
(803) 734-6305

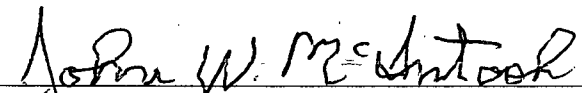
ATTORNEYS FOR RESPONDENT

By: 

Anthony Mabry


Donald J. Zelenka

I concur that there are extraordinary circumstances.



John W. McIntosh
Chief Deputy Attorney General

October 29, 2012

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Davis, Appellant.

Appellate Case No: 2011-195246

ORDER

Respondent requests an extension to serve and file the initial brief of respondent and designation of matter and alleges there are extraordinary circumstances justifying this extension. The extension is granted until November 28, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.



Joseph W. Curator A.J.

Columbia, South Carolina

cc:

Breen Richard Stevens

J. Anthony Mabry

FILED

11/1/12 AT

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

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NOV 28 2012

v.

JOSEPH DAVIS,

SC Court of Appeals

Appellant.

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, certify that I have served Respondent's Motion to Enlarge Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the InterAgency Mail to counsel for Appellant, addressed as follows:

Breen Richard Stevens
Appellate Defender
S.C. Commission on Indigent Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 28th day of November, 2012.



ANTHONY MABRY
Assistant Attorney General

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

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NOV 28 2012

SC Court of Appeals

MOTION TO ENLARGE TIME FOR
FILING INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER

The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from November 28, 2012 for a period of thirty (30) days up to and including December 28, 2012. Respondent has completed the majority of this brief, however, Respondent has been involved in other matters that have prevented the timely filing of this initial brief:

(A) Freddie Owens v. State (Capital PCR) Reduction of Proposed Order of Dismissal at request of Judge Edward Miller (Original Order 277 pages) in process, currently 110 pages, **to be filed on or before December 1, 2012;**

(B) Anthony Jesus Johnson v. State (Amended Federal Habeas Return)(Murder & ABWIK)

Amended Return *filed yesterday* in U.S. District Court (approximately 53 pages);

(C) Anthony Jesus Johnson v. State (Federal Habeas Return)(Murder & ABWIK) Amended Return *filed* in U.S. District Court (approximately 53 pages)(Original Return);

(D) Alfonzo Staton v. State (Federal Habeas Return)(Murder, Kidnapping, Conspiracy) *in process*;

(E) Luther Ford v. State (Brief of Respondent)(Voluntary Manslaughter)(LWOP) *filed in the 4th Circuit Court of Appeals*;

and other matters.

Additionally, because of the issue raised on appeal (the voluntariness of appellant's statement) Respondent has requested from the Solicitor's Office copies of the Miranda Waiver Forms, written statements of the appellant, and video-recorded statement of the appellant introduced below. Respondent has not received those items as of this date, and cannot complete the Initial Brief until Respondent receives the same and has had time to review and incorporate those into the Initial Brief.

WHEREFORE, for extraordinary circumstances shown, Respondent respectfully requests an extension of a period of time of thirty (30) days up to and including December 28th to complete this Initial Brief of Respondent and Designation of Matter. This is a 5th extension request. Opposing counsel does not object to this request.

Respectfully submitted,

ALAN WILSON
Attorney General

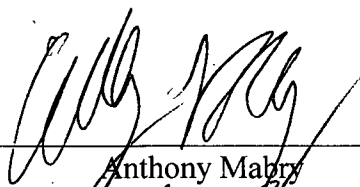
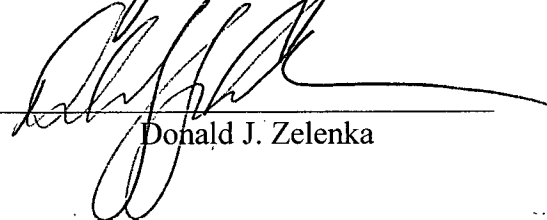
JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Assistant Attorney General

P.O. Box 11549
Columbia, SC 29211
(803) 734-6305

ATTORNEYS FOR RESPONDENT

By: 
Anthony Mabry

Donald J. Zelenka

I concur that there are extraordinary circumstances.

John W. McIntosh
Chief Deputy Attorney General

November 28, 2012



ALAN WILSON
ATTORNEY GENERAL

December 3, 2012

Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

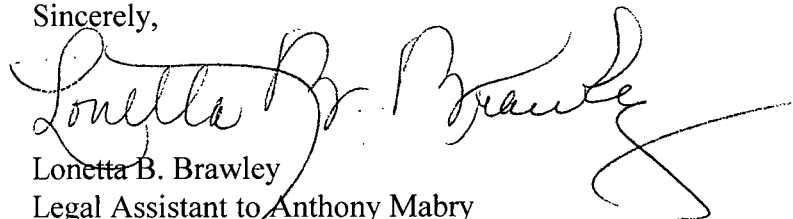
Re: State v. Joseph Davis
Appellate Case No. 2011-195246

Dear Ms. Kitchings:

The Motion to Enlarge Time in the above-referenced case was filed with your office on November 28, 2012 without the signature of John W. McIntosh, Chief Deputy Attorney General because he was out of town. We are forwarding motion to you with Mr. McIntosh's signature.

Thank you for your consideration.

Sincerely,



Lonetta B. Brawley
Legal Assistant to Anthony Mabry
Assistant Attorney General

/lbb
Enclosure

cc: Breen R. Stevens, Esquire

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, certify that I have served Respondent's Motion to Enlarge Time to File Initial Brief of Respondent and Designation of Matter on counsel for Appellant, by depositing one copy of same in the InterAgency Mail to counsel for Appellant, addressed as follows:

Breen Richard Stevens
Appellate Defender
S.C. Commission on Indigent Defense
1330 Lady Street, Ste. 401
Columbia, SC 29201

This 28th day of November, 2012.



ANTHONY MABRY
Assistant Attorney General

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.

MOTION TO ENLARGE TIME FOR
FILING INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER

The Respondent, above-named, hereby makes a motion to this Court to extend the time for filing the Initial Brief of Respondent and Designation of Matter from November 28, 2012 for a period of thirty (30) days up to and including December 28, 2012. Respondent has completed the majority of this brief, however, Respondent has been involved in other matters that have prevented the timely filing of this initial brief:

(A) Freddie Owens v. State (Capital PCR) Reduction of Proposed Order of Dismissal at request of Judge Edward Miller (Original Order 277 pages) in process, currently 110 pages, **to be filed on or before December 1, 2012;**

(B) Anthony Jesus Johnson v. State (**Amended** Federal Habeas Return)(Murder & ABWIK)

Amended Return *filed yesterday* in U.S. District Court (approximately 53 pages);

(C) Anthony Jesus Johnson v. State (Federal Habeas Return)(Murder & ABWIK) Amended Return *filed* in U.S. District Court (approximately 53 pages)(Original Return);

(D) Alfonzo Staton v. State (Federal Habeas Return)(Murder, Kidnapping, Conspiracy) *in process*;

(E) Luther Ford v. State (Brief of Respondent)(Voluntary Manslaughter)(LWOP) *filed in the 4th Circuit Court of Appeals*;

and other matters.

Additionally, because of the issue raised on appeal (the voluntariness of appellant's statement) Respondent has requested from the Solicitor's Office copies of the Miranda Waiver Forms, written statements of the appellant, and video-recorded statement of the appellant introduced below. Respondent has not received those items as of this date, and cannot complete the Initial Brief until Respondent receives the same and has had time to review and incorporate those into the Initial Brief.

WHEREFORE, for extraordinary circumstances shown, Respondent respectfully requests an extension of a period of time of thirty (30) days up to and including December 28th to complete this Initial Brief of Respondent and Designation of Matter. This is a 5th extension request. Opposing counsel does not object to this request.

Respectfully submitted,

ALAN WILSON
Attorney General

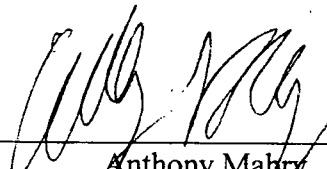
JOHN W. McINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

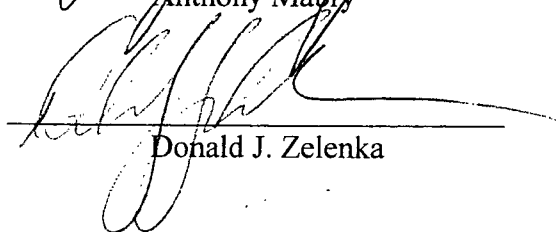
J. ANTHONY MABRY
Assistant Attorney General

P.O. Box 11549
Columbia, SC 29211
(803) 734-6305

ATTORNEYS FOR RESPONDENT

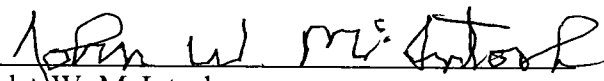
By: 

Anthony Mabry



Donald J. Zelenka

I concur that there are extraordinary circumstances.



John W. McIntosh
Chief Deputy Attorney General

November 28, 2012

The South Carolina Court of Appeals

The State, Respondent,

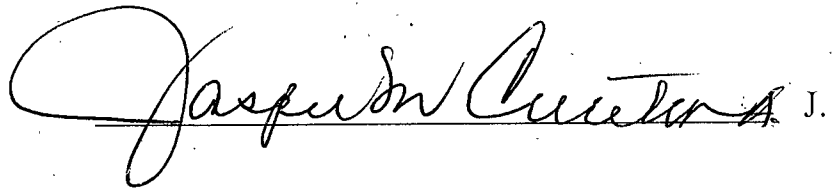
v.

Joseph Davis, Appellant.

Appellate Case No. 2011-195246

ORDER

Respondent requests an extension to serve and file the initial brief of respondent and designation of matter and alleges there are extraordinary circumstances justifying this extension. The extension is granted until December 28, 2012. Pursuant to the order of the Supreme Court of South Carolina dated March 18, 2009 (www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2009-03-18-01), any further extension request must show the existence of extraordinary circumstances, state what actions are being taken to insure that no further extension will be required, and be signed by the appropriate attorneys.



Jaspur A. J.

Columbia, South Carolina

cc:

Breen Richard Stevens

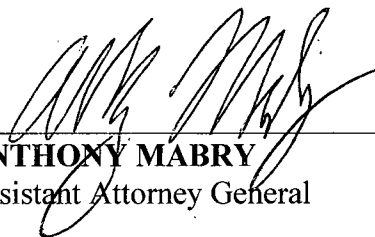
J. Anthony Mabry

FILED

12/4/12 AT

CERTIFICATE OF SERVICE

I, **Anthony Mabry**, hereby certify that I have served the *Initial Brief of Respondent and Designation of Matter* in the foregoing action by depositing copies in the Interagency Mail to Breen R. Stevens, Appellate Defender, Division of Appellate Defense, 1330 Lady Street, Suite 401, Columbia, SC 29201 this 21st day of December, 2012.



ANTHONY MABRY
Assistant Attorney General

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Hampton County
The Honorable Perry M. Buckner, Circuit Court Judge

Appellate Case No. 2011-195246

THE STATE,

Respondent,

v.

JOSEPH DAVIS,

Appellant.


**DESIGNATION OF MATTER OF MATTER TO BE
INCLUDED IN RECORD ON APPEAL**

Respondent proposes the following be included in the Record on Appeal:

Court's Ex. 1
Court's Ex. 2
Court's Ex. 3
Court's Ex. 4
Court's Ex. 5
Court's Ex. 6/State's 18
Court's Ex. 7/State's 19
Court's Ex. 8
Court's Ex. 9/State's 20
Tr. pp. 1
Tr. p. 8
Tr. pp. 10-16
Tr. pp. 17-21
Tr. pp. 22-93
Tr. pp. 94-109
Tr. pp. 110-112
Tr. pp. 138-139
Tr. pp. 206-52
Tr. pp. 256-75

Tr. pp. 284-92
Tr. pp. 297-304
Tr. pp. 305-10
Tr. pp. 311-21
Tr. pp. 322-30
Tr. pp. 331-45
Tr. pp. 346-64
Tr. pp. 367-87
Tr. pp. 394-423
Tr. pp. 455-57
Tr. pp. 481-82
Tr. pp. 487-89
Tr. p. 492
State's Ex. 24
State's Ex. 25

I certify that this Designation contains no matter which is irrelevant to this appeal.



ANTHONY MABRY
Assistant Attorney General
P.O. Box 11549
Columbia, SC 29211-1549
(803) 734-6305

December 21, 2012



SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

 ORIGINAL

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

January 16, 2013

The Honorable Jenny Kitchings
Clerk, S.C. Court of Appeals
PO Box 11629
Columbia, SC 29211

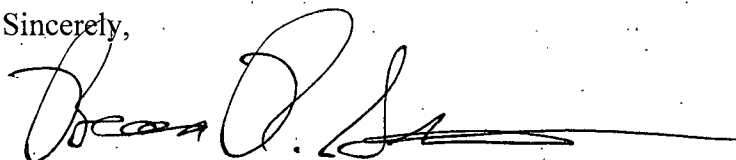
RECEIVED
JAN 16 2013
SC Court of Appeals

Re: The State v. Joseph Davis

Dear Ms. Kitchings:

Enclosed is a proposed order in the above case. By copy of this letter, we are also forwarding a copy of this proposed order to Donald J. Zelenka. Thank you for your assistance in this matter.

Sincerely,



Breen Richard Stevens
Appellate Defender

BRS/mch

cc: Donald J. Zelenka, Esquire

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Hampton County

Honorable Perry M. Buckner, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JOSEPH DAVIS,

APPELLANT

Appellate Case No. 2011-195246

ORDER

IT IS ORDERED that DVD Confession of Joseph Davis, be released to the Office of the Attorney General, or its designee, for transporting to the Court of Appeals of South Carolina for purposes of review by the Court for the above-captioned case.

JOHN C. FEW, CHIEF JUDGE

By _____
CLERK

Columbia, South Carolina

January ____, 2013

Copies to: The Honorable Perry M. Buckner
Breen Richard Stevens, Esquire
Donald J. Zelenka, Esquire

The South Carolina Court of Appeals

The State, Respondent,

v.

Joseph Davis, Appellant.

Appellate Case No. 2011-195246

The Honorable Perry M. Buckner
Hampton County
Trial Court Case No. 2008GS2500588

ORDER

Pursuant to Rule 210(f) of the South Carolina Appellate Court Rules, it is ordered that the Clerk of Court for Hampton County release:

DVD Confession of Joseph Davis

to be transported to this Court by the South Carolina Attorney General's Office, for consideration in the above referenced matter.

FOR THE COURT

BY

V. Claire Allen, Deputy
CLERK

FILED

1/17/13 AT

Columbia, South Carolina

cc:

Breen Richard Stevens

Donald J. Zelenka

The Honorable Mylinda D. Nettles