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ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

MAY 21 2012

Appeal from Horry County

SC Court of Appeals

Benjamin H. Culbertson, Circuit Court Judge

6.6.12
N/T

THE STATE,

RESPONDENT,

v.

ANTOINE F. CHESTNUT,

APPELLANT

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

Counsel for Antoine F. Chestnut 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 petition for writ of certiorari and appendix is due to be served and filed with the Court today. The Court has granted two previous extension.
2. Counsel for Mr. Chestnut 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 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Tevon Jackson in the Court of Appeals. 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.

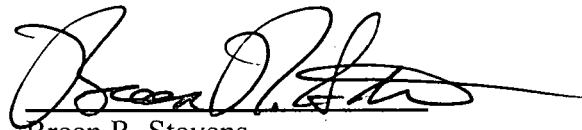
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

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

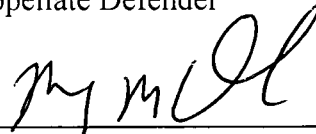
5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a thirty 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



Robert M. Dudek
Chief Appellate Defender

May 21, 2012

I do not oppose:

Harold M. Counts, Jr.
FOR

Salley Elliott