

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Beaufort County

Carmen T. Mullen, Circuit Court Judge

RECEIVED
JUN 19 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

MYKEL JOHNSON,

APPELLANT

APPELLATE CASE NO. 2012-212478

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

The undersigned counsel respectfully requests a thirty day extension, 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. On Wednesday, June 5, 2013, counsel had an oral argument in the case of State v. Alirio Ortiz. On Tuesday, June 4, 2013, counsel had an oral argument in the case of State v. Michael Watson. Additionally, On Tuesday, June 4, 2013, counsel had an oral argument in the case of State v. Jerome Watson. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Wilson Pearson on Tuesday, May 28, 2013. Counsel filed the brief of petitioner in

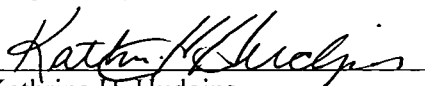
the case of State v. Eric Dantzler on Monday, May 13, 2013. On Wednesday, May 8, 2013, counsel had an oral argument in the case of State v. Antwan McMillan. On Monday, May 6, 2013, counsel had an oral argument in the case of State v. Travell Hill. On Wednesday, May 1, 2013, counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jacqueline Yvette Sullivan, and the petition for writ of certiorari and accompanying appendix in the case of Johnny Frazier v. State the petition for writ of certiorari and accompanying appendix in the case of Robert L Foster v. State. On Monday, April 29, 2013, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy Littlejohn v. State. On Wednesday April, 24, 2013, counsel filed the brief of petitioner in the State v. Lawrence Burgess. On Monday, April 22, 2013, counsel filed the Anders brief of appellant and record on appeal in the case of State v. Reginald Montgomery. On Thursday, April 18, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon Billups v. State.

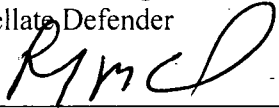
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

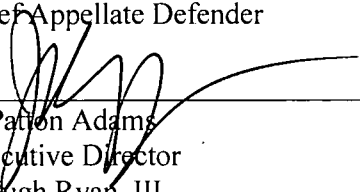
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,


Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


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

June 19, 2013

I DO NOT OPPOSE:


Salley W. Elliott