

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Dorchester County

Perry M. Buckner, Circuit Court Judge

RECEIVED

JUN 21 2013

S.C. Supreme Court

JOHN EDWARD WEIK,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2007-060700

**PETITION FOR EXTENSION TO FILE
BRIEF OF PETITIONER**

The undersigned counsel would respectfully request a **final thirty-day extension, until July 22, 2013**, in which to file the brief of petitioner in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The brief of petitioner in this **capital case** is due to be served and filed today, having been extended by two prior orders of this Court.

2. Counsel is working on and plans to file the brief of petitioner in the case of State v. Beulah Butler in this Court today, June 21, 2013, or Monday, June 24, 2013. In addition, Counsel is working on and plans to file the petition for writ of certiorari and accompanying appendix in the **death penalty** case of State v. Stephen Stanko in the United States Supreme

Court. Counsel had an oral argument in the case of State v. Anthony Wade in this Court on June 19, 2013. Additionally, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Christopher M. Stephens (from the COA) in this Court on June 19, 2013. Counsel filed a motion to appoint outside counsel in the case of Domonique Brown v. State in this Court on June 13, 2013. Counsel had an oral argument in the case of In the Interest of Brandon M., a Minor in the Court of Appeals on June 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Osles Cunningham in the Court of Appeals on June 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Miller, as well as the petition for rehearing in the case of State v. Kendrick Taylor, both in the Court of Appeals on June 6, 2013. Counsel had an oral argument in the case of State v. Charles Pennell in the Court of Appeals on June 5, 2013. In addition, Counsel filed the return to the motion for outside counsel in the **death penalty** case of Freddie Owens v. State, and the notice of supplemental authority in the **death penalty** case of James Roberson v. State, both in this Court on June 5, 2013. Counsel had oral arguments in the cases of State v. Dondre Scott and State v. Rashaun Sobers in the Court of Appeals on June 4, 2013. Counsel filed the reply to the return to the petition for writ of certiorari in the **death penalty** case of Marion Alexander Lindsey v. State, with Co-Counsel David Alexander, in this Court on May 28, 2013. In addition, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Jason Ray Franks (in the COA) in this Court on May 23, 2013. In addition, Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Jefferson Perry and State v. Robert Renzo in the Court of Appeals on May 23, 2013. Counsel filed the petition for rehearing in the case of State v. Jeffrey A. Michaelson in the Court of Appeals on May 22, 2013. Counsel filed the initial brief of appellant and designation of

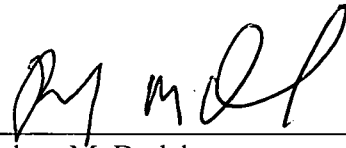
matter in the case of State v. Bobby McCann in the Court of Appeals on May 17, 2013. Counsel had an oral argument in the case of State v. William Brockmeyer, where he is Counsel with Miles Coleman and Matt Bogan of Nelson Mullins Riley & Scarborough, LLP, in this Court on May 15, 2013. In addition, Counsel had oral arguments in the cases of State v. Robert C. Johnson and State v. Andre Richardson in the Court of Appeals on May 14, 2013. Counsel filed the initial reply brief of appellant in the case of State v. Jamaal Hinson, with Co-Counsel Reid Sherard of Nelson Mullins Riley & Scarborough, LLP, in the Court of Appeals on May 8, 2013. In addition, Counsel filed the petition for rehearing in the case of In the Interest of David L., a Minor Under the Age of Seventeen, with Co-Counsel E. Charles Grose, Jr., in this Court on May 8, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Craig Brannon v. State in this Court on May 6, 2013. Counsel filed the petition for rehearing in the case of State v. Andre Tayson Boone in the Court of Appeals on May 1, 2013. In April, 2013, Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Mark Peters, State v. Victor White, State v. Jevon Brown, State v. Asherdon Holloway, the petitioner's reply brief in the case of Gene Tony Cooper v. State in the United States Supreme Court, the petition for rehearing in the **death penalty** case of State v. Brad Sigmon, and the petition for writ of certiorari and accompanying appendix in the case of Frankie Williams v. State. In addition, Counsel had oral arguments in the cases of In the Interest of David L., a Minor Under the Age of Seventeen (with co-counsel Charles Grose) in this Court, and in the case of State v. Andre Tayson Boone in the Court of Appeals in April, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

3. This request is made in good faith, and not for purposes of delay.

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 **final thirty-day extension, until July 22, 2013**, in which to file the brief of petitioner in this case. Counsel requests that the time limits for filing the brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,



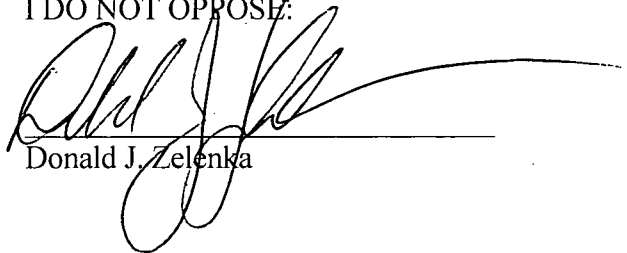
Robert M. Dudek
Chief Appellate Defender



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

June 21, 2013

I DO NOT OPPOSE:



Donald J. Zelenka