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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

May 19 2023

Appeal from Charleston County

SC Court of Appeals

Honorable Roger M. Young, Circuit Court Judge
Honorable Thomas L. Hughston, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

BRANDON VERNARD JOHNSON,

APPELLANT

APPELLATE CASE NO. 2022-001424

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

Counsel for Brandon Vernard Johnson respectfully requests a thirty (30) day extension from May 19, 2023 until June 19, 2023, in which to serve and 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 in this case are due to be served and filed today.
2. Counsel filed the Initial Brief and Designation of Matter in the case of *The State v. Mazar Sturdivant* with the Court of Appeals on May 11, 2023. Counsel filed the *Johnson* Petition for Writ of Certiorari and the Appendix in the case of Rickey Santione Henley v. The

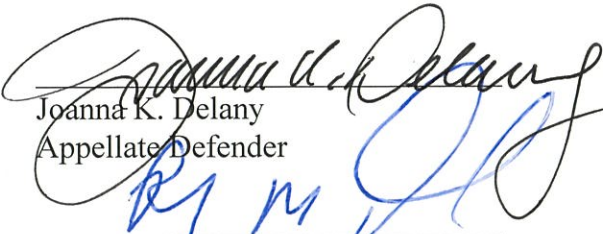
State with the Supreme Court on April 10, 2023. Counsel filed the Motion to Reconstruct the Record of Petitioner's PCR Hearing or Motion for a New PCR Hearing in the case of Breon Alexandre v. The State with the Supreme Court on March 31, 2023. Counsel filed the Reply Brief of Petitioner in the case of The State v. Richard Kenneth Galloway with the Supreme Court on March 24, 2023. Counsel appeared for a remand hearing before the Honorable Eugene C. Griffith in Greenwood County in the case of The State v. Terrence O. Frazier on March 3, 2023.

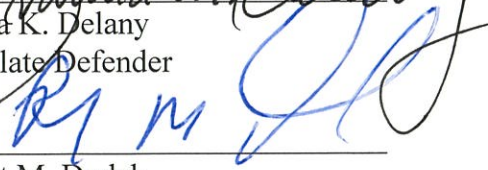
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On April 28, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2023.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension from May 19, 2023 until June 19, 2023. 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,


Joanna K. Delany
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

This 19th day of May, 2023.

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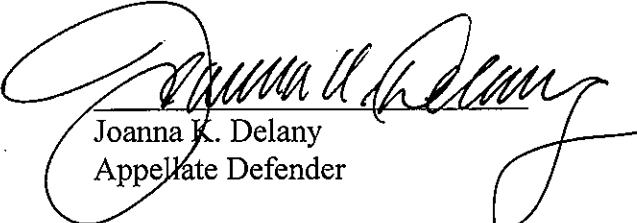
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APPELLANT

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Matthew C. Buchanan, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of May, 2023.



Joanna K. Delany
Appellate Defender

ATTORNEY FOR APPELLANT