

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
J. Derham Cole, Circuit Court Judge

RECEIVED

JUN 28 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

CHRISTOPHER PAUL MAHAFFEY,

APPELLANT

APPELLATE CASE NO 2012-212780

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

The undersigned counsel respectfully requests a **final thirty day extension, until July 29, 2013** 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. Counsel is currently working on a death penalty case in Marion Bowman v. State. Counsel had an oral argument in the case of State v. Michael L. Couch in this Court on Thursday, June 13, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Edward Dunn in this Court on Monday, June 10, 2013. Counsel filed the

initial brief of appellant and designation of matter in the case of State v. Michael D. Williams in this Court on Thursday, June 6, 2013. Also on Thursday, June 6, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Phillip Keathe Carey v. State in the Supreme Court. Counsel had an oral argument in the case of State v. Timmy Rogers in this Court on Wednesday, June 5, 2013. Counsel had an oral argument in the case of State v. Darren Scott in this Court on Wednesday, May 15, 2013. On Wednesday, May 8, 2013, counsel filed the Brief of Respondent and accompanying appendix with the Supreme Court in State v. Robert Watkins. On Monday, May 6, 2013, counsel filed the Brief of Petitioner with the Supreme Court in Richard Sims v. State. Counsel had an oral argument in the case of State v. James Miller in the Supreme Court on Thursday, May 2, 2013. Counsel had an oral argument in the case of State v. Paris Avery in the Supreme Court on Tuesday, April 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Terrence A. Baker v. State and James Corbett v. State both in the Supreme Court on Monday, April 29, 2013. Counsel filed a **Petition for Writ of Certiorari with the United States Supreme Court** in the case of Danny Brown v. State of South Carolina on Tuesday, April 23, 2013.

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 **final thirty day extension, until July 29, 2013**. 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,

from DA Alexander
David Alexander
Appellate Defender

RM Dudek
Robert M. Dudek
Chief Appellate Defender

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

June 28, 2013

I do not oppose:

rc Salley W. Elliott
Salley W. Elliott, Esquire