

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Dorchester County  
Perry M. Buckner, Circuit Court Judge  
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RECEIVED

JUL 22 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 eight day extension, until July 30, 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 three prior orders of this Court. Counsel regrets having to ask for this short final extension but he has also had to devote time to a petition in the original jurisdiction of this Court that he plans to file this week along with co-counsel. This has taken considerable unexpected time.
2. Counsel is also working on the **death penalty** case of Marion Bowman v. State, which has a 10,000 page appendix. Counsel filed the initial brief of appellant and designation of

matter in the case of State v. Robert Wayne Mitchell in the Court of Appeals on July 19, 2013. Counsel filed the initial brief of appellant and designation of matter in the murder case of State v. Edward W. Stackhouse, as well as the petition for rehearing in the case of State v. Manuel Antonio Marin, with Co-Counsel David Alexander, both in the Court of Appeals on July 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Richey Lamont Boyd in the Court of Appeals on July 12, 2013. Counsel filed 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 on July 2, 2013. In addition, Counsel is working on the petition for writ of certiorari and accompanying appendix in the **death penalty** case of Brad Keith Sigmon v. State in the United States Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derell Green in the Court of Appeals on June 28, 2013. Counsel filed the brief of petitioner in the case of State v. Beulah Butler in this Court on June 24, 2013. 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

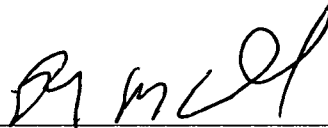
Appeals on June 5, 2013. In addition, Counsel filed the return to the motion for outside counsel in the **death penalty** case of Freddie Owens v. State, and the notice of supplemental authority in the **death penalty** case of James Roberson v. State, both in this Court on June 5, 2013. Counsel had oral arguments in the cases of State v. Dondre Scott and State v. Rashaun Sobers in the Court of Appeals on June 4, 2013. In May, 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; the return to the petition for writ of certiorari in the case of Craig Brannon v. State; and the petition for writ of certiorari and accompanying appendix in the case of State v. Jason Ray Franks. Additionally in May, 2013, Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Jefferson Perry, State v. Robert Renzo and State v. Bobby McCann, and 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. Counsel filed the petitions for rehearing in the cases of State v. Jeffrey A. Michaelson, In the Interest of David L., a Minor Under the Age of Seventeen, with Co-Counsel E. Charles Grose, Jr., and State v. Andre Tayson Boone in May, 2013. Counsel also had oral arguments in the cases of State v. William Brockmeyer, where he is Counsel with Miles Coleman and Matt Bogan of Nelson Mullins Riley & Scarborough, LLP, State v. Robert C. Johnson and State v. Andre Richardson in May, 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.

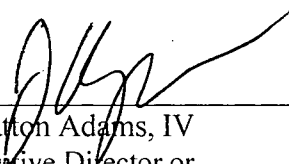
WHEREFORE, the undersigned counsel would respectfully request a **final eight day extension, until July 30, 2013**, in which to file the brief of petitioner in this case. Counsel requests that the time limits for filing the brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

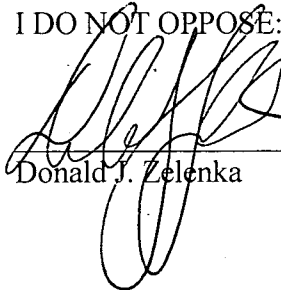


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T. Patton Adams, IV  
Executive Director or  
J. Hugh Ryan, III  
General Counsel

July 22, 2013

I DO NOT OPPOSE:



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Donald J. Zelenka