

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Richland County
R. Knox McMahon, Circuit Court Judge

THE STATE,

RESPONDENT

RECEIVED

AUG 02 2013

SC Court of Appeals

v.

DAQWAN M. JOHNSON,

APPELLANT

Appellate Case No. 2012-212696

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

The undersigned counsel respectfully requests a **final thirty day extension, until September 3, 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. The transcript in this murder case is 1,015 pages.

2. Counsel filed a petition for writ of habeas corpus in the Supreme Court's original jurisdiction and accompanying appendix with Co-Counsel David Alexander and Susan Hackett in the case of State v. Curtis Simms in the Supreme Court on August 1, 2013. Counsel went to Allendale Correctional Institution to meet with Juan Orozco regarding the case of State v. Juan Orozco in the Supreme Court on July 31, 2013. Counsel filed the brief of petitioner in the **death penalty** case of John Edward Weik v. State in the Supreme Court on July 30, 2013. Counsel

filed the initial brief of appellant and designation of matter in the case of State v. Antonio Thomas in this Court on July 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Wayne Mitchell in this Court 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 this Court 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 this Court 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. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derell Green in this Court on June 28, 2013. Counsel filed the brief of petitioner in the case of State v. Beulah Butler in the Supreme Court on June 24, 2013. Counsel had an oral argument in the case of State v. Anthony Wade in the Supreme 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 the Supreme Court on June 19, 2013. Counsel filed a motion to appoint outside counsel in the case of Domonique Brown v. State in the Supreme Court on June 13, 2013. Counsel had an oral argument in the case of In the Interest of Brandon M., a Minor in this Court on June 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Osles Cunningham in this Court 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 this Court on June 6, 2013. Counsel had an oral argument in the case of State v. Charles Pennell in this Court 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

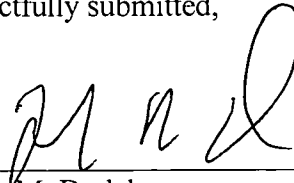
the Supreme Court on June 5, 2013. Counsel had oral arguments in the cases of State v. Dondre Scott and State v. Rashaun Sobers in this Court on June 4, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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

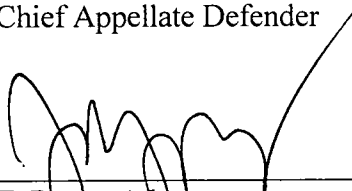
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until September 3, 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,



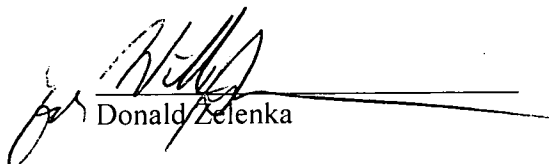
Robert M. Dudek
Chief Appellate Defender



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

August 2, 2013

I DO NOT OPPOSE:



Donald Zelenka