

Original

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Roger M. Young, Circuit Court Judge

RECEIVED

AUG 06 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

BREON JACOBY MAYERS,

APPELLANT

APPELLATE CASE NO, 2012-213003

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

The undersigned counsel would respectfully request a **final thirty-day extension until September 6, 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 exigent 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, in which the appendix is over 10,000 pages. Today, Tuesday, August 6, 2013, counsel will file the petition for writ of certiorari and accompanying appendix in the case of Darrell Brown v. State in the Supreme Court. Counsel filed the petition for writ of

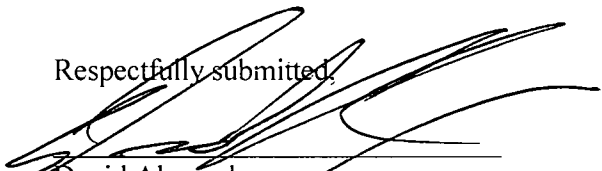
certiorari and accompanying appendix in the case of Lord Byron Slater v. State in the Supreme Court on Monday, August 5, 2013. Also on Monday, August 5, 2013 counsel filed the brief of appellant and record on appeal in State v. Charles Anderson in this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Efrain Perez Martinez v. State in the Supreme Court on Thursday, August 1, 2013. Also on Thursday, August 1, 2013 counsel filed the petition for writ of habeas corpus in case of Curtis Simms v. State in the original jurisdiction of the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Paul Mahaffey in this Court on Monday, July 29, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy D. Portee v. State in the Supreme Court on Wednesday, July 17, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Steven Gregory Frost in this Court on Thursday, July 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brenda Bratschi in this Court on Monday, July 1, 2013. On Friday, June 21, 2013, counsel filed the brief of appellant and record on appeal in State v. Stakren Jefferson in this Court. 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.

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

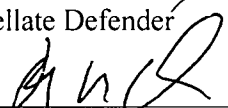
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until September 6, 2013**, in which to file the initial brief of appellant and designation of matter in this case. Counsel 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.

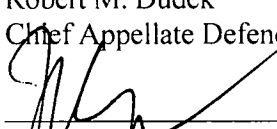
Respectfully submitted,



David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



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

August 6, 2013
I DO NOT OPPOSE



Donald J. Zelenka, Esquire