

6th

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

SEP 12 2013

Appeal from Lexington County

Roger M. Young, Circuit Court Judge

80 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 October 7, 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. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Harry Anthony in this Court on Tuesday, September 10, 2013. Counsel filed the reply to the return to the petition for writ

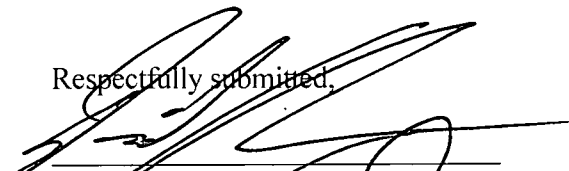
of certiorari in the Supreme Court in Brenda Gail Cutro v. State on September 3, 2013. Counsel filed the petition for rehearing in this Court in State v. Darren Scott on August 29, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis Parker v. State in the Supreme Court on Tuesday, August 27, 2013. Counsel filed the brief of appellant and record on appeal in State v. Jeff Chestnut in this Court on Tuesday, August 20, 2013. Counsel filed the initial reply brief in the case of State v. Steven Kranendonk in this Court on Monday, August 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Brown v. State in the Supreme Court on Friday, August 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell Brown v. State in the Supreme Court on Tuesday, August 6, 2013. 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.

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.

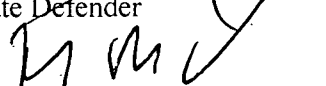
WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until October 7, 2013**, in which to file the initial brief of appellant and designation of matter in this case. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



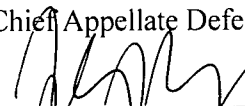
---

David Alexander  
Appellate Defender



---

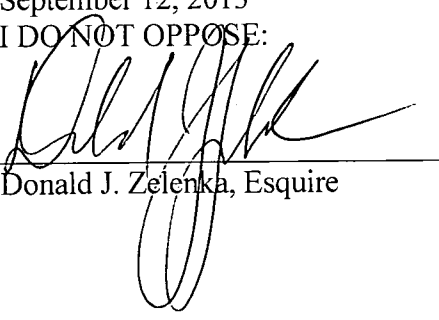
Robert M. Dudek  
Chief Appellate Defender



---

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

September 12, 2013  
I DO NOT OPPOSE:



---

Donald J. Zelenka, Esquire