

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Calhoun County

Diane Schafer Goodstein, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

OCT 25 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JOHN EDWARD HAYNES,

APPELLANT

APPELLATE CASE NO. 2013-000468  
\_\_\_\_\_

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

The undersigned counsel respectfully requests a thirty day extension 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. On Monday, October 21, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Anthony Martucci v. State in the Supreme Court. On Friday, October 18, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the capital PCR case of Marion Bowman v. State in the Supreme Court in which the appendix was over 10,000 pages. On Wednesday, October 16, 2013, counsel had an oral

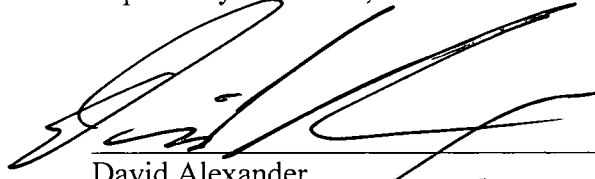
argument in the South Carolina Supreme Court in the case of State v. Robert Watkins. Counsel filed the initial reply brief of appellant in the case of State v. Edward M. Dunn in this Court on Friday, September 27, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup> of 2013. Counsel filed the petition for rehearing in the Supreme Court in Richard Sims v. State on Friday, September 20, 2013. 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. Also on Tuesday, September 10, 2013 Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Watson v. State in the Supreme Court. 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.

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.

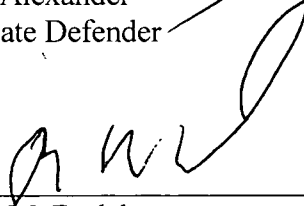
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



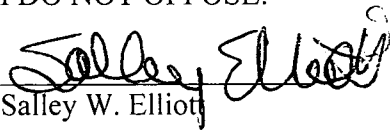
David Alexander  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

October 25, 2013

I DO NOT OPPOSE:



Salley W. Elliott