

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Calhoun County

Diane Schafer Goodstein, Circuit Court Judge

RECEIVED
DEC 27 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 **final thirty day extension, until January 27, 2014**, 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 Thursday, December 19, 2013 counsel filed the initial brief of appellant and designation of matter in the case of State v. Akeem Smith in this Court On Thursday, December 12, 2013, counsel had an oral argument in this Court in the case of State v. Kevin Bennett. On Friday, December 6, 2013 counsel filed the petition for writ of certiorari and accompanying

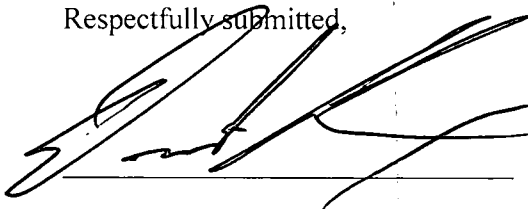
appendix in the case of State v. Antonio Barnes in the Supreme Court as well as the brief of petitioner in the case of State v. Jamar A. Robinson in this Court. On Friday, November 22, 2013 counsel filed the brief of appellant and record on appeal in State v. Norman Keith Burgess in this Court. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of State v. Manual Antonio Marin in the Supreme Court, on November 21, 2013. Also on Thursday, November 21, 2013, counsel filed the reply to the return to the petition for rehearing In the interest of Tyairy G., A Minor in the Court of Appeals. On Monday, November 18, 2013 counsel filed the brief of appellant and record on appeal in State v. Kevin Eugene Laws in this Court. On Friday, November 8, 2013 counsel filed the brief of appellant and record on appeal in State v. Ryan Alan Williams in this Court. On Thursday, November 7, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brian A. Diggs v. State in the Supreme Court. On Wednesday, November 6, 2013, counsel had an oral argument in this Court in the case of State v. Eric Wright. Counsel filed the petition for rehearing in this Court in In the interest of Tyairy G., A Minor on Tuesday, November 5, 2013. On Friday, November 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery T. Lucas v. State in the Supreme Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony Jackson in this Court on Wednesday, October 30, 2013. Also on Wednesday, October 30, 2013 counsel filed the initial brief of appellant and designation of matter in the case of State v. Breon Jacoby Mayers in this Court

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.

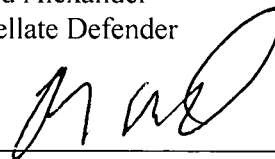
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until January 27, 2014**. 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.

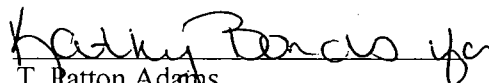
Respectfully submitted,



David Alexander
Appellate Defender



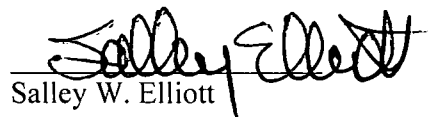
Robert M. Dudek
Chief Appellate Defender



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

December 27, 2013

I DO NOT OPPOSE:



Salley W. Elliott

ORIGINAL



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Wanda H. Carter, Deputy Chief Appellate Defender

December 27, 2013

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Dear Ms. Kitchings:

In absence of Hugh Ryan, Deputy Attorney and General Counsel for the South Carolina Commission on Indigent Defense, and Patton Adams, Executive Director of the South Carolina Commission on Indigent Defense, and pursuant to instructions from Mr. Ryan, I ask that you accept this cover letter as an attempt to comply with the Court's order dated March 18, 2009, in regard to extension requests.

In the attached motion for an extension of time, Appellate Defender, David Alexander, seeks a thirty day extension of time to file the initial brief of appellant and designation of matter. Based on that and his extremely heavy case load, as outlined in the motion, he was unable to complete the initial brief of appellant and designation of matter.

Thank you for allowing me to bring this to your attention. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Kathy Bonds
Administrative Assistant
South Carolina Commission on
Indigent Defense