

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Lexington County  
Clifton Newman, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

JAN 06 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JONATHAN MALLORY,

APPELLANT

APPELLATE CASE NO. 2013-000811  
\_\_\_\_\_

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. Counsel is preparing for an oral argument in the case of State v. Michael Rogers in this Court on Tuesday, January 7, 2014. Counsel is also working on the reply brief in Death Penalty case of John Edward Weik v. State that is due January 13, 2014. Counsel filed the brief of appellant in the case of State v. Curtis Simms in the Supreme Court on December 27, 2013. Counsel had an oral argument in the case State v. Nicholas Brannon on December 16, 2013 in

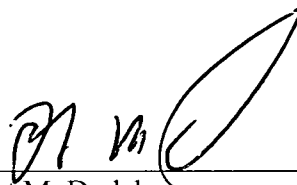
this Court. Counsel filed an initial brief of appellant in the case of State v. Albert Brandeberry on December 11, 2013 in this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Gunter v. State on November 27, 2013 in the Supreme Court. Counsel filed the initial reply brief of appellant in the case of State v. Bobbie McCann in this Court on November 26, 2013. Counsel filed the initial brief of appellant in the case of State v. Arthur James Buie in this Court on November 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Manual Antonio Marin (in the COA) with co-counsel David Alexander in the Supreme Court on November 21, 2013. Counsel had an oral argument in the case of State v. Beulah Butler in the Supreme Court on November 20, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Sharon Smith v. State in the Supreme Court on November 15, 2013. Counsel filed the return to the petition for rehearing in the case of State v. Steven Barnes, a death penalty case in the Supreme Court on November 14, 2013. Counsel had an oral argument in the case of State v. Jamaal Hinson with co-counsel Reid T. Sherard of Nelson Mullins in this Court on November 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Irby in this Court on November 8, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of James F., A Juvenile Under the Age of Seventeen in this Court on November 6, 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.

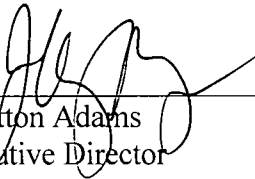
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a 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,



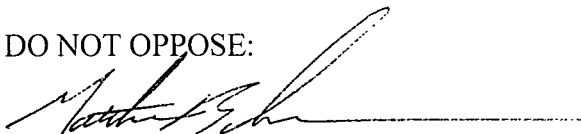
Robert M. Dudek  
Chief Appellate Defender



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

January 6, 2014

I DO NOT OPPOSE:



Matthew Buchanan