

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Greenville County

G. Edward Welmaker, Circuit Court Judge  
\_\_\_\_\_

RECEIVED

JAN 17 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JAMES ALLEN JOHNSON,

APPELLANT

APPELLATE CASE NO. 2013-001314  
\_\_\_\_\_

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 Thursday, January 16, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Latron Bryant in the Supreme Court. On Wednesday, January 15, 2014, counsel filed the petition for writ of certiorari to the South Carolina Supreme Court and accompanying appendix in the case of Richard A. Sims v. State in

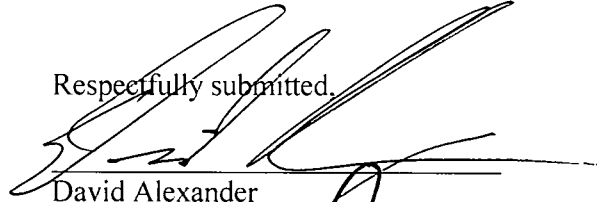
the United States Supreme Court. On Wednesday, January 8, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. John Portee in the Supreme Court. On Tuesday, January 7, 2014, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Luther Bernard Pearson in the Supreme Court. On Friday, December 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Aliaquon R Drake in the Supreme Court, also on Friday, December 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Jose Angel Herrera in the Supreme Court. 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.

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.

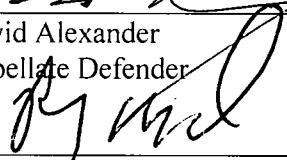
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

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,



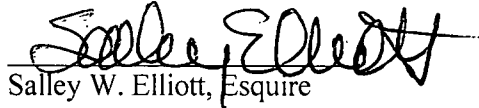
David Alexander  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

January 17, 2014

I do not oppose:



Salley W. Elliott, Esquire