

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County

Clifton Newman, Circuit Court Judge

RECEIVED

FEB 03 2014

SC Court of Appeals

RESPONDENT,

THE STATE,

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, until March 5, 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. Counsel filed the initial brief of appellant in the case of State v. William Pou in this Court on January 27, 2014. Counsel plans to file the initial brief of appellant with this Court on Wednesday, February 5, 2014 in the case of State v. Jonathan Mallory. Counsel is also co-counsel in the case of State v. Anthony Nation that will be argued in the Supreme Court that

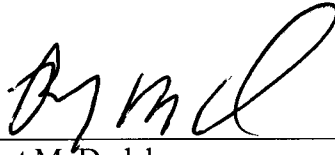
same morning. Counsel filed the initial brief of appellant in the case of State v. William Pearson in this Court on January 24, 2014. Counsel filed the Reply Brief of Appellant in the case of State v. Curtis Simms together with Co-counsel David Alexander and Susan Hackett in the Supreme Court on Friday, January 17, 2014. Counsel filed the Return to Petition for Writ of Certiorari in the case of In the Interest of Brandon M., A Juvenile Under the Age of Seventeen on January 14, 2014 in the Supreme Court. Counsel filed a Reply Brief of Respondent in the case of State v. John Edward Weik, a death penalty case in this Court on January 10, 2014. Counsel had an oral argument in the case of State v. Michael Rogers in this Court on January 7, 2014. Counsel and co-counsel David Alexander filed a petition for writ of certiorari from this Court to the Supreme Court on January 3, 2014. Counsel, along with his two counsels, 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 initial brief of appellant in the case of State v. Anthony Willis in this Court on December 4, 2013. 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 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,



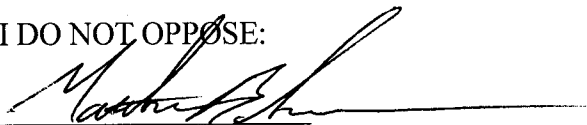
Robert M. Dudek
Chief Appellate Defender



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

February 3, 2014

I DO NOT OPPOSE:



Matthew Buchanan