

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

G. Edward Welmaker, Circuit Court Judge

RECEIVED

FEB 18 2014

THE STATE,

RESPONDENT, SC Court of Appeals

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 Tuesday, February 4, 2014, counsel had an oral argument in this Court in the case of State v. Julian Deandre Battle. Counsel filed the brief of respondent in the case of State v. William Coaxum Sr. in the Supreme Court on Monday, January 27, 2014. On Tuesday, January 21, 2014, counsel filed the return to the petition for writ of certiorari in the case of Jwan T. Smith


v. State in the Supreme Court. 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.

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.

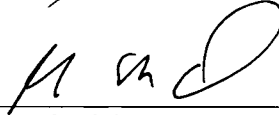
4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

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.

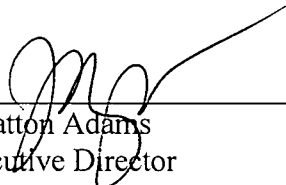
Respectfully submitted,



David Alexander
Appellate Defender



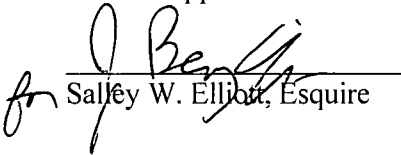
Robert M. Dudek
Chief Appellate Defender



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

February 18, 2014

I do not oppose:


for Salley W. Elliot, Esquire