

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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MAR 05 2014

SC Court of Appeals

Appeal from Lexington County
Clifton Newman, Circuit Court Judge

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 **final thirty day extension, until April 4, 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 has oral arguments in the cases of State v. Curtis Simms in the Supreme Court with co-counsel David Alexander and State v. Mark Peters in this Court, today, March 5, 2014. Counsel had an oral argument in the case of State v. Jefferson Perry in this Court yesterday, March 4, 2014. Counsel filed the brief of appellant in the case of State v. Jeremy

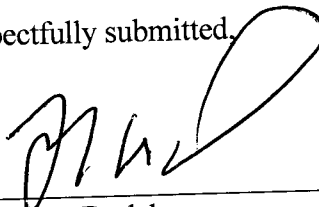
Fleming on Wednesday, February 27, 2014 in this Court. Counsel filed the brief of petitioner in the case of State v. Darian Robinson in the Supreme Court on February 25, 2014. Counsel filed the brief of appellant in the case of State v. Fred Cole Jr. in this Court on February 21, 2014. Counsel filed a petition for rehearing in the case of State v. Patrick Guess in this Court on February 20, 2014. Counsel has an oral argument in the case of John Edward Weik v. State, a death penalty case in the Supreme Court on February 19, 2014. Counsel filed the initial brief of appellant in the case of State v. Keith Letmon on February 6, 2014 in this Court. Counsel assisted in the preparation for and attended the oral argument in the case State v. Anthony Nation in the Supreme Court on February 5, 2014. The case was argued by co-counsel Charles Grose. Counsel filed the brief of appellant in the case of State v. William Pou in this Court on January 27, 2014. Counsel filed the 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 with co-counsel David Alexander in the Supreme Court on 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 John Edward Weik v. State, a death penalty case in the Supreme 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 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 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.

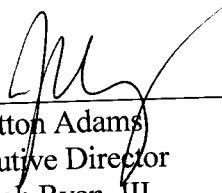
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until April 4, 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,



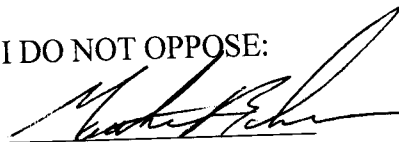
Robert M. Dudek
Chief Appellate Defender



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

March 5, 2014

I DO NOT OPPOSE:



Matthew Buchanan