

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

JUN 27 2014

Appeal from Chesterfield County

Paul M. Burch, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DENNIS M. PENNY,

APPELLANT

Appellate Case No. 2013-001554

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 filed the petition for rehearing in the case of The State v. James C. Tyner with this Court on June 26, 2014. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Jimmy Charles Kendall, III v. State of South Carolina with the Supreme Court on June 18, 2104. Counsel filed the petition for rehearing in the case of The State v. Forrest Kelly Samples with this Court on June 17, 2104. Counsel had an oral argument in the case of The State v. Donald M. Anderson in this Court on June 17, 2014. Counsel filed the brief

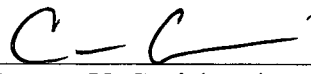
of petitioner in the case of George Wigington v. State of South Carolina with this Court on June 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gregory Mark Crolley v. State of South Carolina with the Supreme Court on June 5, 2014. Counsel had an oral argument in the case of The State v. Gregory Ivery in this Court on June 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Emmons with this Court on June 4, 2014. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Derrick Tyrone Blake v. State of South Carolina with the Supreme Court on June 2, 2014. Counsel filed the petition for rehearing in the case of The State v. Christopher Lee Johnson with this Court on May 28, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marcus Townsend v. State of South Carolina with the Supreme Court on May 23, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jose Luis G. Hernandez v. State of South Carolina with the Supreme Court on May 20, 2014. Counsel filed the petition for rehearing in the case of The State v. Alex Robinson with this Court on May 8, 2014. Counsel filed the return to the petition for rehearing in the case of The State v. Matthew Ryan Hendricks with the Court of Appeals on May 8, 2014. Counsel filed the petition for rehearing in the case of The State v. Matthew Ryan Hendricks with this Court on May 8, 2014. Counsel had an oral argument in the case of The State v. James C. Tyner in this Court on May 7, 2104. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Michael Anthony Allen v. State of South Carolina with the Supreme Court on May 6, 2014. Counsel filed the brief of appellant in the case of Donald C. Brevard v. State of South Carolina with this Court on April 25, 2014.

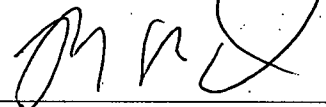
3. This request is made in good faith, and not for purposes of delay.

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,

  
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Carmen V. Ganjehsani  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

June 27<sup>th</sup>, 2014

I DO NOT OPPOSE:

  
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Salley W. Elliott, Esquire