

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Alexander S. Macaulay, Circuit Court Judge

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SEP 12 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JAVAN F. MAYS,

APPELLANT

APPELLATE CASE NO. 2013-002530

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by two prior orders of this Court.
2. Counsel argued the case of State v. Ralph B. Hayes in this Court on September 11, 2014. Counsel argued the case of State v. Matthew Fullbright in this Court on September 10, 2014. Counsel argued in the case of State v. Alexander L.

Hunsberger in this Court on September 9, 2014. Counsel argued in the case of Chico Bell v. State in this Court on September 8, 2014. Counsel filed the petition for rehearing in the case of State v. Bentley Collins in the Supreme Court on September 4, 2014. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Alvin D. Arnold in this Court on September 2, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Albert Santanio Kelly v. State in the Supreme Court on August 29, 2014. Counsel participated in a reconstruction hearing scheduled on August 28, 2014 before the Honorable L. Casey Manning in the case of State v. Michael Hockaday. Additionally, Counsel has been working on Michael D. Hall v State, a case in the original jurisdiction of the South Carolina Supreme Court, which has been set on a expedited briefing schedule. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Simmons, Jr. in this Court on August 20, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fred R. Rutland v. State in the Supreme Court on August 18, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Walter M. Bash in this Court on August 8, 2014. Counsel filed the Return to petition for writ of certiorari to this Court in the case of State v. Julia Gorman in the Supreme Court on August 6, 2014. Counsel filed the brief of petitioner in the case of Edward Andrell Whitner v. State in this Court on August 4, 2014. Counsel filed the Anders brief of Appellant and designation of matter along with the Record on Appeal in the case of State v. Dayton Frinks in this Court on July 29, 2014. Counsel filed the petition for rehearing in the case of State v. Clarence Williams Jenkins in this Court on July 24, 2014. Counsel filed the petition for writ of certiorari to this Court in the case of

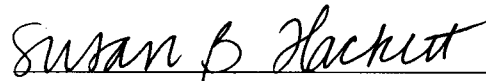
State v. David Gerrard Johnson with the Supreme Court on July 17, 2014. Counsel filed the Anders brief of appellant and designation of matter along with the Record on Appeal in the case of State v. Derrick Ladon Clark in this Court on July 17, 2014.

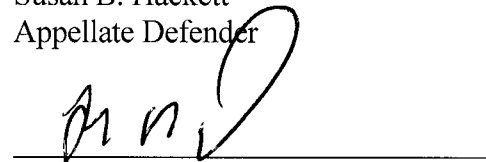
3. This request is made in good faith, and not for purposes of delay.

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 in which to file the initial brief of appellant and designation of matter in this case. Counsel 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.

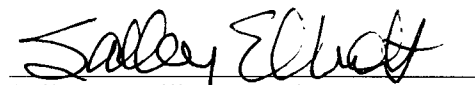
Respectfully submitted,


Susan B. Hackett
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

September 12, 2014

I DO NOT OPPOSE:


Salley W. Elliott, Esquire