

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

Appeal from Greenville County
G. Edward Welmaker, Circuit Court Judge

STATE OF SOUTH CAROLINA,

RECEIVED
AUG 15 2012
SC Court of Appeals
RESPONDENT,

v.

CHRISTOPHER LEE JOHNSON,

APPELLANT.

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Christopher Lee Johnson respectfully requests an extension of a **final thirty (30) days until September 14, 2012** in which to file the initial brief of appellant and designation of matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a sixth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter is due to be served and filed with the Court on today. Counsel had requested a prior extension that he intended to be the last; however, counsel is unable to comply with that request due to: the current caseload; counsel's attendance at the Supreme Court Advocacy Institute training program in New York, New York, on June 7-10, 2012; counsel's wedding and honeymoon on June 23-29, 2012; and additional work in preparation for the hearing on a motion for a new trial in State v. Richard Gagnon.

2. Counsel for Mr. Johnson respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.


3. Counsel is preparing to file the initial brief of Appellant in State v. Richard Pilgrim and State v. Billy Miller in this Court by the end of the week. On August 13, 2012, counsel filed the petition for writ of certiorari and appendix in Virgil Culbreath v. State in the Supreme Court. On August 2, 2012 counsel filed the return to petition for writ of certiorari to the Court of Appeals in State v. Adrian Eaglin. On August 1, 2012 counsel filed the petition for writ of certiorari to the Court of Appeals and appendix in State v. Anthony Williamson. On July 30, 2012 counsel filed the petition for writ of certiorari and appendix in Jabbar Straws v. State in the Supreme Court. On July 26, 2012, counsel will file initial brief of Appellant in State v. Donald Altman in this Court. On July 23, 2012, counsel will be filing the petition for writ of certiorari and appendix in Alonzo Jenkins v. State in the Supreme Court. On July 20, 2012, counsel filed the initial brief of appellant in State v. Richard Beekman in this Court. On July 18, 2012 counsel filed the initial brief of appellant in State v. Billy Lisenby in this Court. On July 13, 2012, counsel filed the initial brief of appellant and designation of matter in Antwan Grayson v. State in this Court. On July 6, 2012 counsel filed the petitions for writ of certiorari and appendices in Thomas Evans v. State and Chadwick Cole v. State in the Supreme Court. On July 9, 2012 counsel filed the petition for writ of certiorari and appendix in Jameek J. Williams v. State in the Supreme Court. On June 21, 2012 counsel filed the petition for writ of certiorari in the Court of Appeals in State v. Nathaniel Murray. On June 20, 2012 counsel filed the petition for writ of certiorari and appendix in Douglas Rice v. State in the Supreme Court. On June 18, 2012 counsel filed the petition for writ of certiorari and appendix in Ivan A. Lee v. State in the Supreme Court. On June 14, 2012,

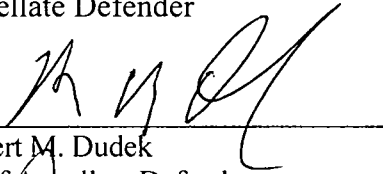
counsel filed the petition for writ of certiorari and appendix in *Preston Costa v. State* in the Supreme Court. On June 6, 2012, counsel had an oral argument in *State v. Tremaine Rashon Wray* in this Court. On June 4, 2012 counsel had an oral argument in *State v. Kasseem Stephens* in this Court. On June 1, 2012, counsel filed the initial brief of appellant and designation of matter in *State v. Ashley Moore* in this Court.

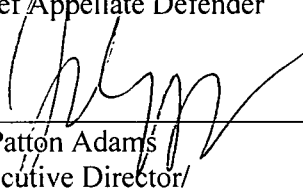
4. Counsel makes this request in good faith and not for purpose of delay.
5. As indicated by signature below, Salley W. Elliott, of the South Carolina Attorney General's Office, does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day until September 14, 2012** extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

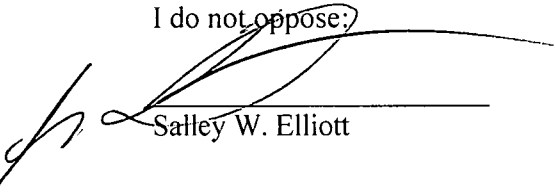

Dayne G. Phillips
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


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

August 15, 2012

I do not oppose:


Salley W. Elliott