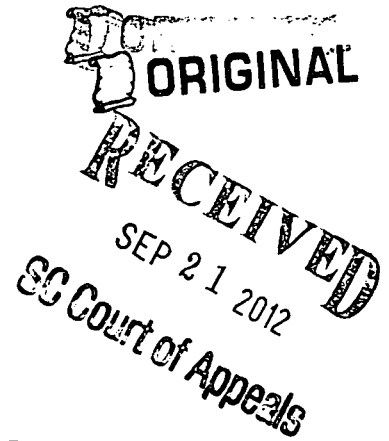


STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS  
\_\_\_\_\_  
Appeal from Spartanburg County  
Roger L. Couch, Circuit Court Judge  
\_\_\_\_\_



THE STATE,

RESPONDENT,

v.

JOHN WAYNE BRANNON,

APPELLANT

Appellate Case No. 2012-206386

\_\_\_\_\_  
PETITION FOR EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER  
\_\_\_\_\_

Counsel for John Wayne Brannon petitions the Court for a thirty day extension in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the fourth extension for Mr. Brannon.
2. Counsel for Mr. Brannon respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. On September 21, 2012, counsel plans to file two petitions for writ of certiorari to the South Carolina Court of Appeals: State v. Hazard Cameron and State v. Eddie Simmons. Additionally, on September 21, 2012, counsel plans to file the appendix and petition for writ of certiorari in

Carmen Rice v. State, a murder PCR appeal with a trial transcript over one thousand pages. On September 20, 2012, counsel filed the petition for rehearing in State v. Demetrius Price. On September 19, 2012, counsel the brief of appellant and record on appeal in State v. Yates Wyant. On September 13, 2012, counsel was summoned to be a witness in PCR court in Bruce Wilson v. State. On September 10, 2012, counsel appeared for oral argument before the South Carolina Court of Appeals in State v. Larry Brayboy. Additionally, on September 10, 2012, counsel filed the brief of appellant and record on appeal in State v. Gervais Edmonds. On September 6, 2012, counsel filed a petition for rehearing in State v. Travis Teasley. On September 4, 2012, counsel filed the appendix and petition for writ of certiorari in Korrell Battle v. State. On August 23, 2012, counsel filed the petition for rehearing in State v. John B. Campbell. Counsel filed the record on appeal and brief of appellant in State v. John Bostic on August 22, 2012. On August 20, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Todd Smith. Counsel filed the brief of appellant and record on appeal in State v. Timothy Cobb on August 15, 2012. Counsel filed initial brief of appellant and designation of matter in State v. Breyon Toney on August 8, 2012. On August 6, 2012, counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Mike Salley and the briefs of petitioner in Gregory McHam v. State and Timothy Wallace v. State.

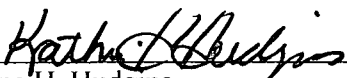
4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a thirty day extension in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

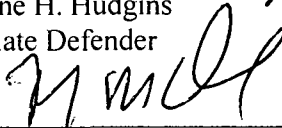
5. As indicated by signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request.


6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

  
\_\_\_\_\_  
Kathrine H. Hudgins  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

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

September 21, 2012

I do not oppose:

  
\_\_\_\_\_  
Salley Elliott