

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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 ORIGINAL

Appeal from Spartanburg County  
Roger L. Couch, Circuit Court Judge

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RECEIVED  
OCT 2 2012

THE STATE,

RESPONDENT, **SC Court of Appeals**

v.

JOHN WAYNE BRANNON,

APPELLANT

Appellate Case No. 2012-206386

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

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Counsel for John Wayne Brannon petitions the Court for a **final thirty day extension, until November 21, 2012** 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 fifth 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. Counsel filed the petitions for writ of certiorari and accompanying appendices in William Cornish v. State and Wiley Post James v. State on October 8, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Archie Hoover v. State on October 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Terrance Gist v. State on October 1, 2012. Counsel attended the South Carolina Public Defender's Conference during the week of September 24, 2012. On September 21, 2012, counsel filed the petitions for writ of certiorari to the Court of Appeals in State v. Hazard Cameron and State v. Eddie Simmons; counsel

will also filed the petition for writ of certiorari and accompanying appendix in Carmen Rice v. State. Counsel filed the petition for rehearing in State v. Demetrius Price on September 20, 2012. On September 19, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Yates Walter Wyant. Counsel filed the initial brief of appellant and designation of matter in State v. Gervais Edmonds on September 10, 2012. Counsel is also argued the case State v. Larry Brayboy in this Court on September 10, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Korrell Battle v. State on September 4, 2012.


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 **final thirty day extension, until November 21, 2012** 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.

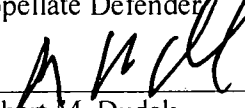
5. As indicated by signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request.

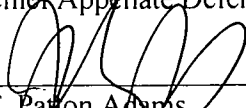
6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a **final thirty day extension, until November 21, 2012**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

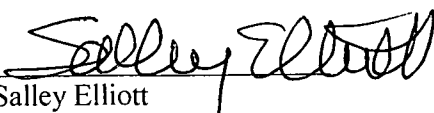
  
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Kathrine H. Hudgins  
Appellate Defender

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

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

October 22, 2012

I do not oppose:

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