

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Spartanburg County

RECEIVED

Honorable Roger L. Couch, Circuit Court Judge

AUG 26 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

TIMOTHY WAYNE JOHNSON,

APPELLANT

APPELLATE CASE NO. 2016-000608

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 reply to return to petition for writ of certiorari in the case of Sheldon Oakman v. State with the Supreme Court on August 25, 2016. Counsel filed the brief of respondent in the case of Norman Hayes v. State with the Supreme Court on August 17, 2016. Counsel filed the petition for writ of certiorari in the case of Ronald Smith v. State with the Supreme Court on August 12, 2016. Counsel filed the petition for writ of certiorari in the case of Antwine Matthews v. State with the Supreme Court on August 12, 2016. Counsel filed the

initial brief of appellant in the case of State v. Dean Distasio with the Supreme Court on August 8, 2016. Counsel filed the initial brief of respondent in the case of State v. Josie Jones with the Supreme Court on July 22, 2016. Counsel filed the initial brief of appellant in the case of State v. Darren Keith Belt with this Court on July 15, 2016. Counsel filed the petition for writ of certiorari in the case of Derrick Harriott v. State with the Supreme Court on July 5, 2016.

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

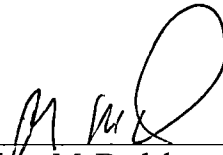
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 26, 2016

I DO NOT OPPOSE:



J. Benjamin Aplin, Esquire