

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

ORIGINAL

Appeal from Spartanburg County

RECEIVED

Honorable Roger L. Couch, Circuit Court Judge

---

SEP 26 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TIMOTHY WAYNE JOHNSON,

APPELLANT

APPELLATE CASE NO. 2016-000608

---

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

---

Counsel for Timothy Wayne Johnson respectfully requests an extension of a **final thirty (30) days, until October 26, 2016**, 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 fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Timothy Wayne 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the initial brief of appellant in the case of In the Matter of Care and Treatment of Roy Lee Wade with this Court on September 16, 2016. Counsel filed the initial reply brief of appellant in the case of State v. Albert E. Siders with this Court on September 6, 2016. 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.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

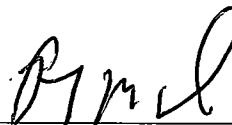
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) days, until October 26, 2016**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

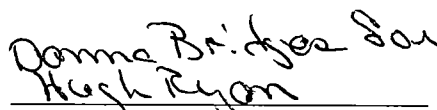


Laura R. Baer  
Appellate Defender

Attorney for Appellant



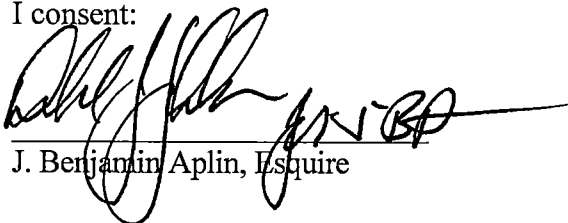
Robert M. Dudek  
Chief Appellate Defender



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

This 26th day of September, 2016.

I consent:



J. Benjamin Aplin, Esquire