

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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JAN - 9 2017

APPEAL FROM LAURENS COUNTY
Court of General Sessions
Frank R. Addy, Jr., Circuit Court Judge

S.C. SUPREME COURT

Appellate Case Number: 2016-001597

The State, Respondent

v.

Bennie Brown, Jr., Appellant.

**Petition for Extension of Time to File Initial Brief of Appellant and Designation of
Matter to be Included in The Record on Appeal**

The appellant, Bennie Brown, Jr., petitions this Court for an extension of time to file his initial brief of appellant and designation of matter to be included in the record on appeal.

1) The initial brief and designation are due today, January 4, 2016. This is the second request for an extension.

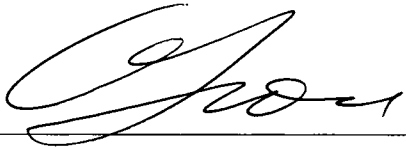
2) Mr. Brown is appealing convictions for two counts of murder and possession of a firearm during the commission of a violent crime. Initially, the State sought the death penalty, but the trial court judge ruled Mr. Brown is not eligible for the death penalty because of his Intellectual Disabilities. The trial transcript is over 950 pages, and the pre-trial hearing transcripts are over 1300 pages. The pre-trial hearings are relevant to some of the issues on appeal.

3) Because of counsel's other professional obligations and the Holidays, counsel has not been able to complete the initial brief. The request is not intended for delay and is necessary because of the complex nature of this appeal.

Mr. Brown, therefore, respectfully requests this Court extend the time to file his initial brief and designation of matter to be included in the record on appeal by 30 days until Friday, February 3, 2017.

IT IS SO MOVED.

Respectfully Submitted,

By  _____

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January 4, 2017

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Certificate of Service

I certify that I have served this pleading on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed to:

J. Benjamin Aplin, Esquire
Office of the Attorney General
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January 4, 2017