

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Florence County

Thomas A. Russo, Circuit Court Judge

RECEIVED
NOV 15 2012
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

DAVID GERRARD JOHNSON,

APPELLANT

Appellate Case No. 2012-209267

**PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request 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 exigent circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today having been extended by three prior orders of this Court.
2. Counsel is preparing to file the petition for rehearing in the case of State v. Anthony Linton in this Court today, November 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Angela M. Vaughn v. State with the Supreme Court on November 14, 2012. Counsel filed the record on appeal in

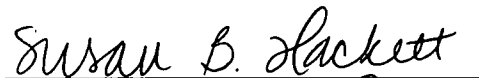
the case of State v. Elbert Wallace in this Court on November 13, 2012. Counsel filed the petition for rehearing in the case of State v. Marion Bonds in this Court on November 8, 2012. Counsel filed the petition for rehearing in the case of State v. Trevee J. Gethers in this Court on November 6, 2012. Counsel filed the petition for rehearing in the case of State v. Kenneth S. Williams with this Court on November 6, 2012. Counsel filed the petition for rehearing in the case of State v. Kendrick Dennis in this Court on November 5, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Cedric T. Smith v. State in the Supreme Court on November 5, 2012. Counsel filed the record on appeal in the case of State v. Loudin Rohr in this Court on November 1, 2012. Counsel filed the brief of appellant in the case of State v. Reginald Nance in this Court on October 24, 2012. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jose Romero in this Court on October 24, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Davontay Henson in this Court on October 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Morrison v. State in the Supreme Court on October 10, 2012. Counsel had an oral argument in the Supreme Court in the case of State v. Ricky Darren Sanders on October 3, 2012. Counsel filed the petition for writ of certiorari in the case of State v. James Craig White (Cert in the COA) in the Supreme Court on September 21, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Trico D. Thompson v. State in the Supreme Court on September 20, 2012. Counsel filed the record on appeal in the case of State v. Connie Dumas in this Court on September 19, 2012.

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

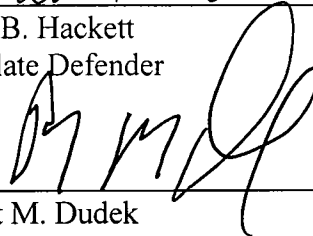
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the initial brief of appellant and designation of matter in this case. Counsel 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.

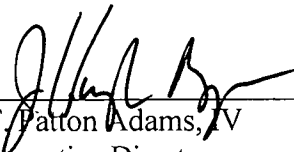
Respectfully submitted,



Susan B. Hackett
Appellate Defender



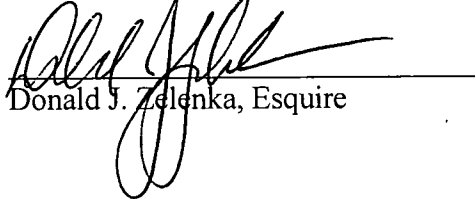
Robert M. Dudek
Chief Appellate Defender



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

November 15, 2012

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire