

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

FEB 03 2017

S.C. SUPREME COURT

MYKEL JOHNSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001684

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

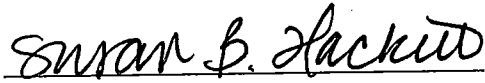
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Leon James in the Court of Appeals today, February 3, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Corey Geddie v. State in this

Court on January 30, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Jason Gourdine in the Court of Appeals on January 27, 2017. Counsel filed the petition for rehearing in the case of State v. Wayne Gary Polite in the Court of Appeals on January 26, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Brandon Rashad Marshall in the Court of Appeals on January 24, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Miller in the Court of Appeals on January 18, 2017. Counsel filed the return to petition for rehearing in the case of State v. Walter M. Bash in this Court on January 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Tyrel Collins in this Court on January 3, 2017. Counsel filed the petition for rehearing in the case of State v. Keith Denver Tate in the Court of Appeals on December 29, 2016. Counsel filed the initial reply brief of appellant In The Matter Of The Care And Treatment Of Keith Fitzgerald Burris in the Court of Appeals on December 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Deshaun Jamel Fordham v. State in this Court on December 15, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Benjamin Cervantes-Hernandez in the Court of Appeals on December 14, 2016. On December 5, 2016, Counsel provided testimony in the post-conviction relief case of Joseph Graddick v. State.

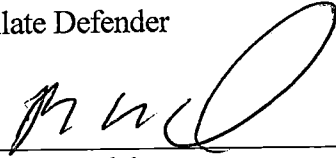
3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 3, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Brooks P. Goldsmith, Circuit Court Judge

MYKEL JOHNSON,

PETITIONER,

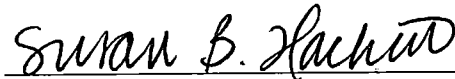
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

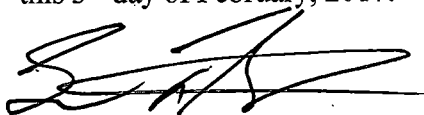
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ruston Neely, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 3rd day of February, 2017.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 3rd day of February, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.