

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County
Roger L. Couch, Circuit Court Judge

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SOUTH CAROLINA COURT OF APPEALS

THE STATE,

RESPONDENT,

V.

JOHN WAYNE BRANNON,

APPELLANT

Appellate Case No. 2012-206386

**PETITION FOR EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER**

Counsel for John Wayne Brannon petitions the Court for a **final thirty day extension, until December 26, 2012** in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the sixth extension for Mr. Brannon.
2. Counsel for Mr. Brannon respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. **Counsel recognizes that the previous extension for this case was a final extension; however, counsel has been unable to complete this brief because of work on State v. Donte Reid, which counsel plans to file in the Court today.**
3. Today, November 26, 2012, counsel is planning to file the initial brief of appellant and designation of matter in State v. Donte Reid. On November 15, 2012, counsel had an oral argument in the South Carolina Supreme Court in State v. Mark Baker. On November 9, 2012, counsel filed the Anders brief of appellant and record on appeal in State v. Timothy Young. Counsel filed the initial brief of appellant and designation of matter in State v. Alirio Ortiz in the Supreme Court on November 5,

2012. Counsel filed the initial brief of appellant and designation of matter in State v. Antrell Felder and the brief of respondent in Cazario Marshall v. State on October 22, 2012. Counsel filed the petitions for writ of certiorari and accompanying appendices in William Cornish v. State and Wiley Post James v. State on October 8, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Archie Hoover v. State on October 4, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Terrance Gist v. State on October 1, 2012.

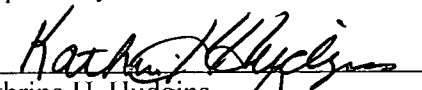
4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a **final thirty day extension, until December 26, 2012** in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

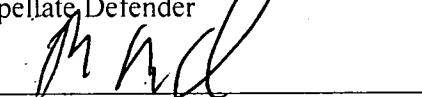
5. As indicated by signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request.

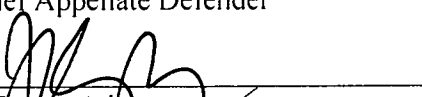
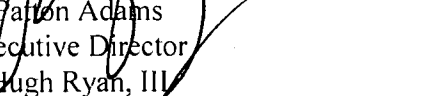
6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a **final thirty day extension, until December 26, 2012**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

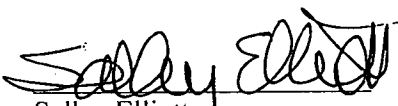

Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


T. Patton Adams
Executive Director

J. Hugh Ryan, III
General Counsel

November 26, 2012

I do not oppose:


Salley Elliott