

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County

Lee S. Alford, Circuit Court Judge

RECEIVED
DEC 05 2012
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JASON ALAN JOHNSON,

APPELLANT

APPELLATE CASE NO. 2012-207549

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

The undersigned counsel respectfully requests a **final thirty day extension, until January 7, 2013**, 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 extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today. **Counsel recognizes that the previous extension for this case was a final extension. The transcript in this case is 976 pages and there are also several hours of videotaped evidence. Counsel hopes to have this brief filed before the thirty days requested. Counsel has discussed the circumstances and necessity of**

this extension with the Chief Appellate Defender.

2. Today, December 5, 2012, counsel plans to file the petition for writ of certiorari and accompanying appendix in James Alexander v. State with the Supreme Court and the initial brief of appellant and designation of matter in State v. Charles Deveaux in this Court. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel filed the reply to return to petition for writ of certiorari in the Supreme Court in Darrell Goss v. State on December 4, 2012. Counsel filed the brief of petitioner in State v. Paris Avery with the South Carolina Supreme Court on November 26, 2012. The petition for writ of certiorari and accompanying appendix in Douglas Thompson v. State were filed and served with the South Carolina Supreme Court on November 21, 2012. The petition for writ of certiorari and accompanying appendix in Charles Ray Dean v. State was filed in the Supreme Court on November 15, 2012. Counsel filed the initial brief of appellant and designation of matter with the Court of Appeals in State v. Michael Couch on November 7, 2012. On October 31, 2012, counsel had an oral argument in the Supreme Court in State v. Danny Cortez Brown.

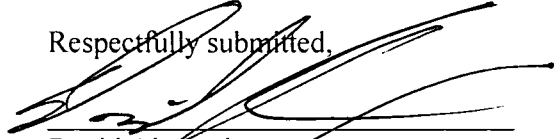
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

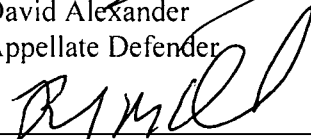
WHEREFORE, the undersigned counsel would respectfully request **a final thirty day extension, until January 7, 2013**. Counsel respectfully requests that the time limits for

filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

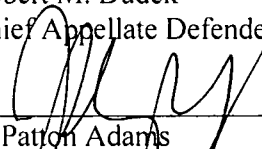
Respectfully submitted,



David Alexander
Appellate Defender



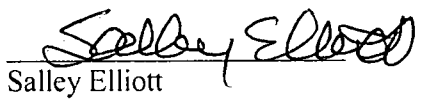
Robert M. Dudek
Chief Appellate Defender



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

December 5, 2012

I do not oppose:


Salley Elliott