

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

ORIGINAL

Appeal from Pickens County

RECEIVED

Eugene C. Griffith, Circuit Court Judge

SEP 29 2017

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

MARCUS CHANNING JOHNSON,

APPELLANT

APPELLATE CASE NO. 2017-000293

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

The undersigned counsel would respectfully request a **final thirty-day extension until October 30, 2017** 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 presenting today at a CLE entitled "Post-Conviction Relief Representation: Don't Mangle Your Case" sponsored by SCCID in Columbia, SC. Counsel



attended the 2017 Annual Public Defender Conference from September 25 through September 27, 2017 in Myrtle Beach, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Bennie Ray Brown, Jr. in the Supreme Court on September 22, 2017. Counsel filed the brief of petitioner in the case of State v. Christopher D. Campbell in the Supreme Court on September 18, 2017. Counsel filed the petition for writ of certiorari to this Court in the case of State v. Dennis E. Cervantes-Pavon in the Supreme Court on September 15, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Scott Simmons in this Court on September 14, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kadeem Johnson v. State in the Supreme Court on September 5, 2017. Counsel filed the initial brief of respondent and designation of matter in the case of State v. Jamie Simpson in this Court on August 31, 2017. Counsel filed the petition for rehearing in the case of State v. Jake Lake in this Court on August 29, 2017. Counsel filed the initial reply brief of appellant in the case of State v. Robert Davis Smith in this Court on August 17, 2017. Counsel filed the reply to return to petition for writ of certiorari in the case of William McCladdie v. State in the Supreme Court on August 4, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Keylan Durham in this Court on August 3, 2017.

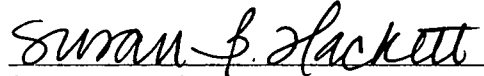
3. This request is made in good faith, and not for purposes of delay.

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

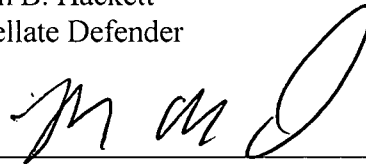
WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until October 30, 2017** in which to file the initial brief of appellant and designation of

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.

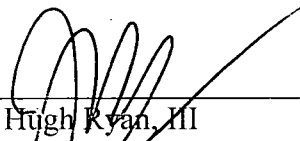
Respectfully submitted,



Susan B. Hackett
Appellate Defender



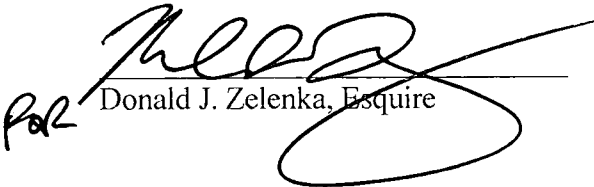
Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

September 29, 2017

I DO NOT OPPOSE:



Donald J. Zelenka, Esquire