

3rd AFB due 3/22/18

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Anderson County

R. Scott Sprouse, Circuit Court Judge

RECEIVED

MAR 22 2018

SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JOHNNY LEE BURTON,

APPELLANT

APPELLATE CASE NO. 2017-001733

**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 two prior orders of this Court.
2. Counsel represented Alexander Hunsberger in a hearing in Saluda County on March 21, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Arthur Rivers v. State in the Supreme Court on March 16, 2018. Counsel filed the

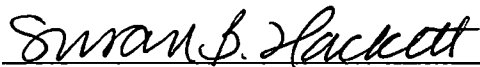
2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Matthew Z. K. in this Court on March 12, 2018. Counsel filed the brief of petitioner in the case of State v. Dennis E. Cervantes-Pavon in the Supreme Court on March 8, 2018. Counsel filed the return to petition for writ of certiorari to this Court in the case of State v. Marvin Brown in the Supreme Court on March 5, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dontavious Jackson v. State in the Supreme Court on March 1, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ernest Bailey in this Court on February 26, 2018. Counsel testified during a PCR hearing at the Horry County Courthouse in the case of Julia Gorman v. State of South Carolina on February 21, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Anthony Maurice Wise in this Court on February 20, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of Wiley Sisk v. State in this Court on February 1, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeron Alondo Cook v. State in the Supreme Court on January 22, 2018.

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

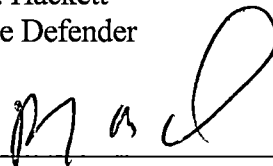
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

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

March 22, 2018

I DO NOT OPPOSE:


Donald J. Zelenka, Esquire