

4th AFB due 7/30/18

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

ORIGINAL

Appeal from Calhoun County

Maite Murphy, Circuit Court Judge

THE STATE,

v.

UNTONYO FERJEARL JOHNSON,

RESPONDENT

RECEIVED  
JUL 30 2018  
SC Court of Appeals

APPELLANT

APPELLATE CASE NO. 2017-001673

MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

Counsel for appellant respectfully requests a **fourth and final** extension of thirty (30) days **until August 29, 2018**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

✓

previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Samuel Collins with this Court on July 23, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Dameion Rivers v. State with the Supreme Court on July 23, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of James Dawkins v. State with the Supreme Court on July 17, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of John Kirby v. State with the Supreme Court on July 16, 2018. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. David Vincent with this Court on July 5, 2018. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Charles C. Brown with this Court on July 5, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Michael Couch v. State with the Supreme Court on June 25, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Mitchell Rivers v. State with the Supreme Court on June 18, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Rondell Carter v. State with the Supreme Court on June 11, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Ricky Dale Pace v. State with the Supreme Court on June 11, 2018. Counsel will file the initial brief of appellant and designation of matter in the case of The State v. Shane Isaac Johnson with this Court on June 4, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Victor Weldon v. State with the Supreme Court on May 23, 2018.

4. Counsel makes this request in good faith and not for purpose 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.

5. Counsel for the Attorney General's office consents to this request shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until August 29, 2018** in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

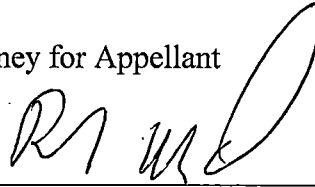
Respectfully submitted,



---

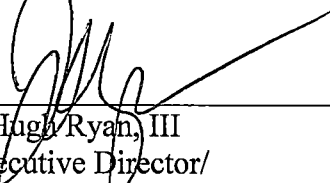
Taylor D. Gilliam  
Appellate Defender

Attorney for Appellant



---

Robert M. Dudek  
Chief Appellate Defender

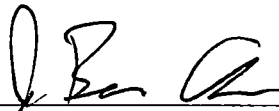


---

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

This 30<sup>th</sup> day of July, 2018.

I consent:



---

J/Benjamin Aplin, Esquire