

4th AIB due 4/23/18
New due date 5/23/18

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Anderson County

R. Scott Sprouse, Circuit Court Judge

RECEIVED
APR 23 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 **final thirty-day extension until May 23, 2018** 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 filed the Anders brief of appellant and Record on Appeal in the case of State v Byron Kinsey on April 18, 2018. Counsel argued in the case of State v. James Simmons

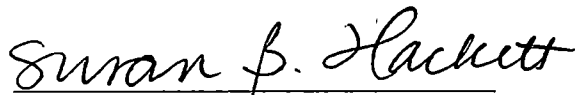
in the Supreme Court on April 17, 2018. Counsel argued in the case of State v. John Massey in the Court of Appeals on April 12, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Thomas Shewtzuk in the Court of Appeals on April 10, 2018. Counsel filed the brief of petitioner in the case of State v. Shane Adam Burdette in the Supreme Court on April 6, 2018. Counsel filed the petition for rehearing in the case of State v. James Wayne Miller in the Court of Appeals on April 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Fabian Green in the Court of Appeals on April 4, 2018. Counsel argued in the case of In the Matter of the Care and Treatment of Kenneth Campbell in the Supreme Court on March 29, 2018. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Michael Green in the Court of Appeals on March 27, 2018. Counsel represented Alexander Hunsberger in the Motion to Dismiss 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 Anders brief of appellant and Record on Appeal in the case of State v. Matthew Z. K. in the Court of Appeals 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 the Court of Appeals 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 the Court of Appeals 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. This request is made in good faith, and not for purposes of delay.

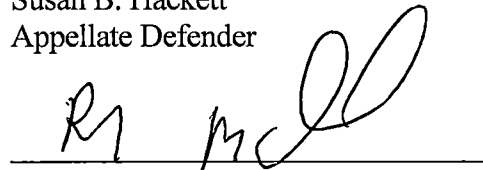
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until May 23, 2018** 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.

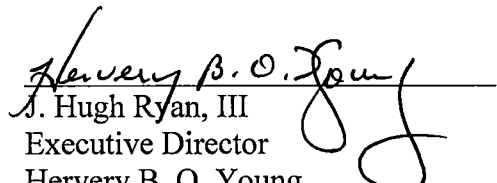
Respectfully submitted,



Susan B. Hackett
Appellate Defender



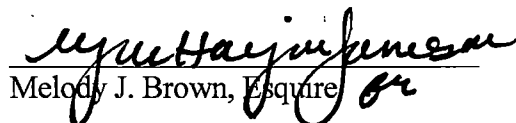
Robert M. Dudek
Chief Appellate Defender



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

April 23, 2018

I DO NOT OPPOSE:



Melody J. Brown, Esquire