

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Greenville County

Robin B. Stilwell, Circuit Court Judge

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**RECEIVED**

**Nov 18 2020**

**SC Court of Appeals**

JAMES ALLEN JOHNSON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2018-000600

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MOTION FOR AN EXTENSION OF TIME  
TO FILE THE BRIEF OF PETITIONER

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Counsel for James Allen Johnson respectfully requests an extension of thirty (30) days in which to file the brief of petitioner in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension.

In support of this request, counsel shows:

1. The brief of petitioner is due to be served and filed with the Court today.
2. On November 12, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Joey Coleman with the Court of Appeals. On November 9, 2020, counsel filed the petition for writ of certiorari and accompanying appendix in Keith Tate v. The State with the Supreme Court. On October 30, 2020, counsel filed the petition for writ of certiorari and


accompanying appendix in Armando Chestnut v. The State with the Supreme Court. On October 23, 2020, counsel, along with co-counsel, filed the initial brief of appellant and designation of matter in the death penalty case of The State v. Timothy Ray Jones, Jr. with the Supreme Court. On October 15, 2020, counsel had an oral argument in The State v. Samuel Jolly before the Court of Appeals. On October 13, 2020, counsel had an oral argument in The State v. Russell Levon Johnson before the Court of Appeals. On October 1, 2020, counsel filed the brief of appellant and designation of matter in The State v. Worth G. Myers with the Court of Appeals. On September 29, 2020, counsel filed the brief of petitioner in The State v. Shane Alexander Washington with the Supreme Court. On September 21, 2020, counsel filed the brief of appellant and designation of matter in The State v. Kenneth Lee Brown with the Court of Appeals. On August 26, 2020, counsel filed the initial reply brief of appellant and designation of matter in The State v. Tammy Caison Moorer with the Court of Appeals. On August 20, 2020, counsel filed the brief of appellant and designation of matter in The State v. William Z. Newton with the Court of Appeals. On August 14, 2020, counsel filed the initial brief of appellant and designation of matter in The State v. Clifton Eugene Smith with the Court of Appeals.

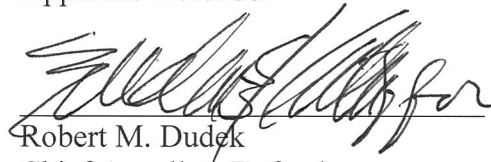
3. Counsel makes this request in good faith and not for purpose of delay.

4. On October 28, 2020, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through November 30, 2020.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the brief of petitioner in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
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Lara M. Caudy  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

This 18th day of November, 2020.

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CERTIFICATE OF SERVICE

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Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency" dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension to File the Brief of Petitioner in the above referenced case has been served upon Taylor Z. Smith, Esquire at the primary e-mail address listed in the Attorney Information System (AIS), this 18th day of November, 2020.



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Lara M. Caudy  
Appellate Defender

ATTORNEY FOR PETITIONER