

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Spartanburg County

J. Derham Cole, Circuit Court Judge

RECEIVED
APR 22 2013
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

CHRISTOPHER PAUL MAHAFFEY,

APPELLANT

APPELLATE CASE NO 2012-212780

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

The undersigned counsel respectfully requests 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 extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel is currently working on a Petition for Writ of Certiorari to be filed with the United States Supreme Court in the case of Danny Brown v. State of South Carolina. On Friday, April 12, 2013, counsel filed the brief of appellant and designation of matter in State v. Steven Kranendonk in this Court. On Thursday April 11, 2013, counsel filed the petition for writ of certiorari and accompanying

appendix in the case of John Barbare v. State in the Supreme Court. On Wednesday, April 10, 2013, counsel filed the brief of appellant and designation of matter in State v. Tyris Bernard Glover in this Court. On Monday April, 8 2013, counsel filed the initial brief of appellant and designation of matter In the interest of Bryson W., A Minor in this Court. On Thursday, April 4, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Angel Gonzales v. State. On Monday, March 25, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery Augustine v. State in the Supreme Court. On Friday, March 22, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Boyce Lee Nesbitt v. State in the Supreme Court. On Thursday March 21, 2013, counsel filed the initial brief of appellant and designation of matter in State v. In the interest of Tyairy G., A Minor in this Court. On Friday, March 15, 2013, counsel filed the brief of appellant and record on appeal in State v. Antwon Byars in this Court. Counsel also filed the initial brief of appellant and designation of matter in State v. Henry Gray in this Court. On Monday, March 11, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adrian A. Allen v. State in the Supreme Court. Wednesday, March 6, 2013, counsel filed the brief of appellant and record on appeal in State v. Kurt Kalani Sparks in this Court. On Friday, March 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sherman Dewalt v. State in the Supreme Court. On Thursday, February 28, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Lee Huckabee v. State in the Supreme Court. On Wednesday, February 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyquan Jared Jones v. State in the Supreme Court. On Friday, February 22, 2013, counsel filed the brief of appellant and record on appeal in State v. Andrew Brent Scott in this Court. On Thursday, February 14, 2013 counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brenda Gail Cutro v. State, which had an appendix of over **5,700 pages**, in this Court.

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

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. Counsel respectfully 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,



David Alexander
Appellate Defender

Robert M. Dudek
Chief Appellate Defender

April 22, 2013

I do not oppose:



Salley W. Elliott, Esquire