

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Richland County

Alison Renee Lee, Circuit Court Judge

RECEIVED

AUG 29 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

ALIRIO ORTIZ,

APPELLANT

APPELLATE CASE NO. 2012-211933

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

Counsel for Alirio Ortiz petitions the Court for a thirty day extension in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the second extension for Mr. Ortiz.
2. Counsel for Mr. Ortiz respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time.
3. Counsel filed a petition for rehearing in State v. John Campbell on August 23, 2012. The initial brief of appellant and designation of matter in State v. John Bostic were filed on August 22, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Timothy Cobb on August 15, 2012. Counsel filed initial brief of appellant and designation of matter in State v. Breyon Toney on August 8, 2012. On August 6, 2012, counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Mike Salley and the briefs of

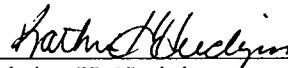
petitioner in Gregory McHam v. State and Timothy Wallace v. State. On July 27, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Henry Dukes. Counsel filed the brief of petitioner in Eduardo Martinez v. State on July 23, 2012. The petition for writ of certiorari to the Court of Appeals in State v. Tawanda Williams was filed on July 18, 2012. On July 16, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Antwan McMillan. Counsel filed the initial brief of appellant and designation of matter in State v. Darius Cathcart on July 11, 2012. Counsel filed the brief of petitioner in State v. Steven Barnes on July 6, 2012.

4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for thirty day extension in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

5. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a thirty day extension, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

August 29, 2012

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County

Alison Renee Lee, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

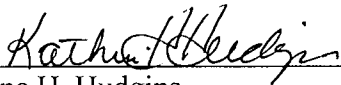
ALIRIO ORTIZ,

APPELLANT

APPELLATE CASE NO. 2012-211933

CERTIFICATE OF SERVICE

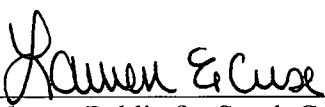
The undersigned attorney hereby certifies that a true copy of the petition for extension of time in which to file the brief of petitioner in the above referenced case has been served upon Salley Elliott, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 29th day of August, 2012.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 29th day of August, 2012.



(L.S.)
Notary Public for South Carolina
My Commission Expires: August 23, 2014 .