

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

AUG 22 2013

Appeal from Richland County

Alison Renee Lee, Circuit Court Judge S.C. Supreme Court

BRENDA GAIL CUTRO,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212782

PETITION FOR EXTENSION TO
FILE THE REPLY TO
THE RETURN TO THE
PETITION FOR WRIT OF CERTIORARI
FROM THE COURT OF APPEALS

The undersigned counsel respectfully requests a ten-day extension in which to file the reply to the return to the petition for writ of certiorari from the Court of Appeals and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

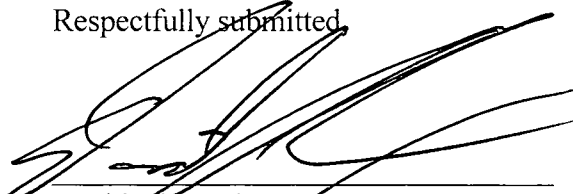
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel is currently working on a death penalty case in Marion Bowman v. State, in which the appendix is over 10,000 pages. Counsel filed the brief of appellant and record on appeal in State v. Jeff Chestnut in the Supreme Court on Tuesday, August 20, 2013. Counsel filed the initial

reply brief of appellant in the case of State v. Steven Kranendonk in the Supreme Court on Monday, August 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Brown v. State in this Court on Friday, August 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell Brown v. State in this Court on Tuesday, August 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lord Byron Slater v. State in this Court on Monday, August 5, 2013. Also on Monday, August 5, 2013 counsel filed the brief of appellant and record on appeal in State v. Charles Anderson in the Supreme Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Efrain Perez Martinez v. State in this Court on Thursday, August 1, 2013. Also on Thursday, August 1, 2013 counsel filed the petition for writ of habeas corpus in case of Curtis Simms v. State in the original jurisdiction of this Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Christopher Paul Mahaffey in the Supreme Court on Monday, July 29, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy D. Portee v. State in this Court on Wednesday, July 17, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Steven Gregory Frost in the Supreme Court on Thursday, July 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brenda Bratschi in the Supreme Court on Monday, July 1, 2013. On Friday, June 21, 2013, counsel filed the brief of appellant and record on appeal in State v. Stakren Jefferson in the Supreme 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.

WHEREFORE, the undersigned counsel would respectfully request a ten day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

August 22, 2013

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Alison Renee Lee, Circuit Court Judge

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CERTIFICATE OF SERVICE

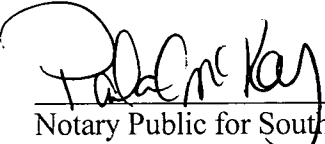
The undersigned attorney hereby certifies that a true copy of the petition for extension to file the reply to the return to the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon David Spencer, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 this 22nd day of August, 2013.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 22nd day of August, 2013.



(L.S.)
Notary Public for South Carolina

My Commission Expires: July 24, 2022.