

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Pickens County

Robin B. Stilwell, Circuit Court Judge

RECEIVED

NOV - 4 2013

S.C. Supreme Court

THE STATE,

RESPONDENT

RECEIVED

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v.

BOBBIE ALBERT MCCANN,

SC Court of Appeals

APPELLANT

Appellate Case No. 2012-212555

PETITION FOR EXTENSION TO FILE
THE REPLY TO THE INITIAL BRIEF OF RESPONDENT

The undersigned counsel respectfully requests a **final ten-day extension, until November 14, 2013**, in which to file the reply to the initial brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The reply to the initial brief of respondent is due to be served and filed today in this case.
2. Counsel is filing the initial brief of appellant and designation of matter in case of State v. Lauri Danielle Hollis, a murder case with a merit directed verdict issue, in this Court today, November 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Thomas Geddie in this Court on October 25, 2013. Counsel filed the initial

brief of appellant and designation of matter in the case of State v. Daqwan M. Johnson in this Court on October 23, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bowman v. State, a **death penalty case with a 10,000 page appendix** with co-counsel David Alexander and Michael Anzelmo in the Supreme Court on October 18, 2013. On October 16, 2013, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Kendrick Taylor (in the COA) in the Supreme Court, as well as the initial brief of appellant and designation of matter in the case of State v. Don-Survi Chisolm, with co-counsel Lara Caudy, in this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lewis Addis, Jr. v. State in the Supreme Court on October 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Isaiah Marcus Brown in this Court on October 3, 2013. Additionally, on October 3, 2013, Counsel filed the initial reply brief of appellant in the case of State v. Anthony Nation with co-counsel Charles Grose in the Supreme Court. Counsel had an oral argument in the case of State v. George L. Chavis in the Supreme Court on October 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George Porterfield v. State in the Supreme Court on September 27, 2013. Counsel also presented at the Public Defender Convention that was held from September 23-25, 2013. Counsel filed the petitions for writ of certiorari and accompanying appendices in the cases of State v. Jeffrey Michaelson (in the COA) and Rayshawn Pearson v. State in the Supreme Court on September 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Wright in this Court, as well as the petition for rehearing in the case of State v. James Bethel in the Supreme Court on September 13, 2013. Counsel filed the petitions for rehearing in the cases of State v. Anthony Wade and State v. Alton Shelley in the Supreme Court on September 12, 2013. Additionally, Counsel filed the petition for writ of certiorari and

accompanying appendix in the **death penalty** case of State v. Brad Keith Sigmon in the United States Supreme Court on September 12, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. John L. Hogan in this Court on September 4, 2013.

Counsel also has extensive administrative duties as the Chief Appellate Defender.

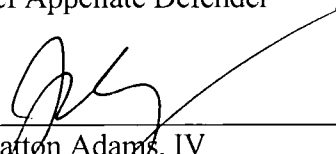
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension, until November 14, 2013**. Counsel respectfully requests that the time limits for filing the reply to the initial brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



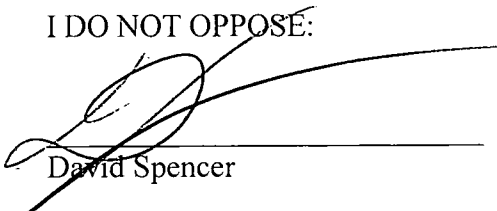
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

November 4, 2013

I DO NOT OPPOSE:



David Spencer