

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Paul M. Burch, Circuit Court Judge

RECEIVED

APR 30 2012

S.C. Supreme Court

MARION ALEXANDER LINDSEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.

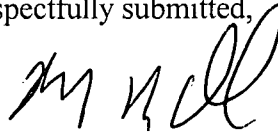
2. Counsel filed the initial brief of appellant and designation of matter in State v. Anthony Nation with this Court on April 27, 2012. Counsel filed the petition for writ of certiorari in Johnny A. Gainey v. State with this Court on April 24, 2012. Counsel filed the return to petition for writ of certiorari in Randy Lee Hill v. State with

this Court on April 23, 2012. Counsel filed the brief of petitioner in the death penalty case of Brad Keith Sigmon v. State with this Court on April 20, 2012. Counsel is on the public defender's conference planning committee and a meeting was called Wednesday, April 18, 2012, that was unplanned that counsel had to attend. Counsel filed the initial brief of appellant and designation of matter in State v. David Lewis with this Court, April 13, 2012. Counsel filed the initial brief of respondent in State v. Robert Jolly #2 with the Court of Appeals on April 6, 2012. Counsel filed the brief of petition in State v. David M. Rocquemore with this Court on April 4, 2012. Counsel had an oral argument on March 29, 2012, in State v. Randy Vickery before the Court of Appeals. Counsel is currently working on the death penalty case of Richard Bernard Moore v. State with co-counsel Susan B. Hackett. In addition to the above, counsel has very extensive administrative duties on a daily basis as the Chief Appellate Defender.

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

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

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

April 30, 2012

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Paul M. Burch, Circuit Court Judge

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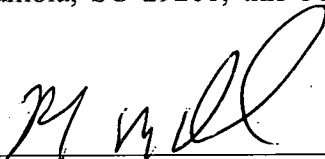
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies the petition in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Donald Zelenka, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 30th day of April, 2012.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 30th day of April, 2012.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 2, 2013