

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County

RECEIVED

NOV 12 2013

G. Thomas Cooper, Jr., Circuit Court Judge

S.C. Supreme Court

JOHN PORTEE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000732

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

The undersigned counsel respectfully requests a thirty-day extension in which to file the petition for writ of certiorari 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.

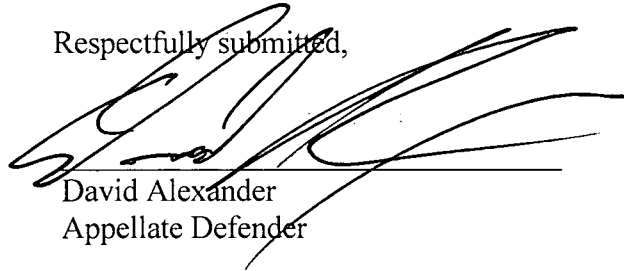
2. On Wednesday, November 6, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Eric Wright. Counsel filed the petition for rehearing in the Court of Appeals in In the interest of Tyairy G., A Minor on Tuesday, November 5,

2013. On Friday, November 1, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery T. Lucas v. State in this Court. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony Jackson in the Court of Appeals on Wednesday, October 30, 2013. Also on Wednesday, October 30, 2013 counsel filed the initial brief of appellant and designation of matter in the case of State v. Breon Jacoby Mayers. On Monday, October 21, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Anthony Martucci v. State in this Court. On Friday, October 18, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bowman v. State in this Court in which the appendix was over **10,000** pages. On Wednesday, October 16, 2013, counsel had an oral argument in the South Carolina Supreme Court in the case of State v. Robert Watkins. Counsel filed the initial reply brief of appellant in the case of State v. Edward M. Dunn in the Court of Appeals on Friday, September 27, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23rd, 24th, and 25th of 2013. Counsel filed the petition for rehearing in this Court in Richard Sims v. State on Friday, September 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Harry Anthony in the Court of Appeals on Tuesday, September 10, 2013. Also on Tuesday, September 10, 2013 Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Watson v. State in this Court. Counsel filed the reply to the return to the petition for writ of certiorari in this Court in Brenda Gail Cutro v. State on September 3, 2013.

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 thirty 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,

A handwritten signature in black ink, appearing to read 'David Alexander', is written over a horizontal line. The signature is stylized and somewhat cursive.

David Alexander
Appellate Defender

November 7, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County.

G. Thomas Cooper, Jr., Circuit Court Judge

JOHN PORTEE,

PETITIONER,

V.

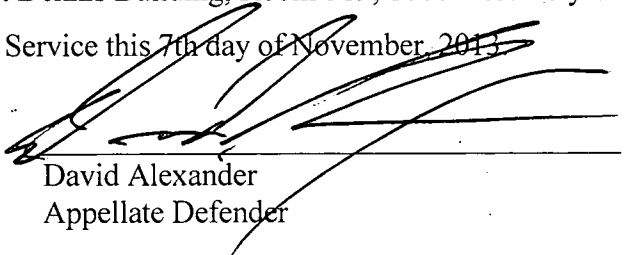
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000732

CERTIFICATE OF SERVICE

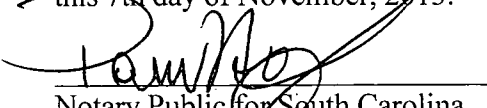
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Megan Harrigan, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 United States Postal Service this 7th day of November, 2013.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 7th day of November, 2013.



(L.S.)
Notary Public for South Carolina
My Commission Expires: July 24, 2022.