

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

Certiorari to Richland County

DEC - 9. 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 **final thirty day extension, until January 8, 2014**, 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 Friday, December 6, 2013 counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Antonio Barnes as well as the brief of petitioner in the case of State v. Jamar A. Robinson in this Court. On December 4, 2013 counsel filed initial brief of appellant and designation of matter in the case of State v. Akeem

Smith in the Court of Appeals. On Friday, November 22, 2013 counsel filed the brief of appellant and record on appeal in State v. Norman Keith Burgess in the Court of Appeals. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Manual Antonio Marin (in the COA) in this Court, November 21, 2013. Also on Thursday, November 21, 2013, counsel filed the reply to the return to the petition for rehearing In the interest of Tyairy G., A Minor in the Court of Appeals. On Monday, November 18, 2013 counsel filed the brief of appellant and record on appeal in State v. Kevin Eugene Laws in the Court of Appeals. On Friday, November 8, 2013 counsel filed the brief of appellant and record on appeal in State v. Ryan Alan Williams in the Court of Appeals. On Thursday, November 7, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brian A. Diggs v. State in this Court. 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 this Court in the case of State v. Robert Watkins. Counsel filed the initial reply brief of

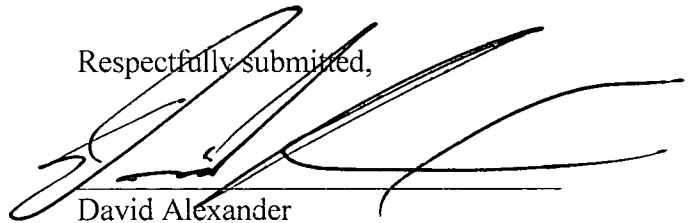
appellant in the case of State v. Edward M. Dunn in the Court of Appeals on Friday, September 27, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23rd, 24th, and 25th of 2013.

3. As indicated by his consent below, counsel for the state does not oppose this request.

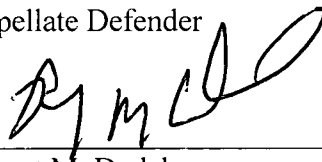
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until January 8, 2014**, in which to file the petition for writ of certiorari and accompanying appendix. 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,



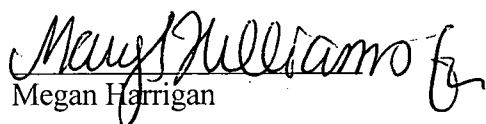
David Alexander
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 9, 2013

I do not oppose:



Megan Harrigan