

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Appeal from Richland County

L. Casey Manning, Circuit Court Judge  
\_\_\_\_\_

 ORIGINAL

RECEIVED

JUL 18 2012

S.C. Supreme Court

BOBBY SHEY RATHBURN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

\_\_\_\_\_  
PETITION FOR EXTENSION TO FILE  
THE PETITION FOR WRIT OF CERTIORARI  
AND ACCOMPANYING APPENDIX  
\_\_\_\_\_

The undersigned counsel respectfully requests a thirty-day extension, **until August 20, 2012**, 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 **Thursday, July 19, 2012**.

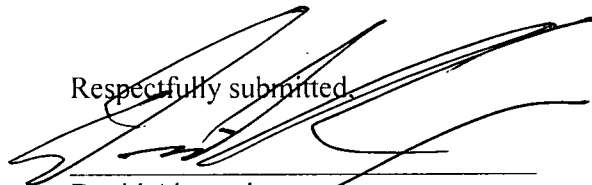
2. Today, July 18, 2012, counsel is filing the initial brief of appellant and designation of matter in the Court of Appeals in the case of State v. Ricky New. Counsel filed the initial brief of appellant and designation of matter in State v. Jerry Goode in the Court of Appeals on July 16, 2012. The brief of respondent in State v. Danny Cortez Brown was filed with this Court on July 11, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Andre Norris v. State this Court on June 13,

2012. On June 8, 2012, filed the petition for writ of certiorari and accompanying appendix in Jomar Antavis Robinson v. State with this Court. Counsel filed the initial brief of appellant and designation of matter with the Court of Appeals in State v. Roosevelt Reaves on June 5, 2012. On June 6, 2012, counsel filed the petition for writ of certiorari and accompanying appendix with this Court in Antwan Zeigler v. State. Counsel is currently working with Chief Appellate Defender Robert M. Dudek on the petition for writ of certiorari in Marion Lindsey v. State, a capital case.

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 thirty day extension, **until August 20, 2012**. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

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

David Alexander  
Appellate Defender

July 18, 2012

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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BOBBY SHEY RATHBURN,

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V.

STATE OF SOUTH CAROLINA,

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\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

The undersigned attorney hereby certifies that a true copy of the petition for extension of time in which to file the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Robert D. Corney, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 18th day of July, 2012.

  
\_\_\_\_\_  
David Alexander  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 18th day of July, 2012.

 (L.S.)  
Notary Public for South Carolina  
My Commission Expires: August 23, 2014.