

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Oconee County

**RECEIVED**

R. Lawton McIntosh, Circuit Court Judge **AUG 13 2012**

**S.C. Supreme Court**

DAVID A. FOWLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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

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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.

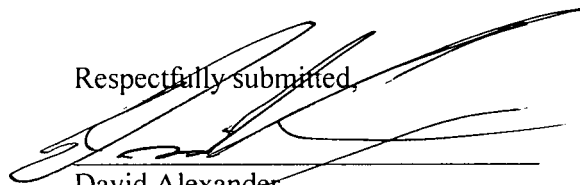
2. Counsel filed the petitions for writ of certiorari and accompanying appendices in Antonio Glover v. State and Darrell Goss v. State on July 23, 2012. On July 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Ricky New. Counsel filed the initial brief of appellant 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 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. 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 handwritten signature in black ink, appearing to read 'David Alexander', is written over a horizontal line. The signature is fluid and cursive.

David Alexander  
Appellate Defender

Attorney for Petitioner

August 13, 2012

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Appeal from Oconee County

R. Lawton McIntosh, Circuit Court Judge  
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DAVID A. FOWLER,

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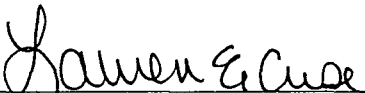
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CERTIFICATE OF SERVICE  
\_\_\_\_\_

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 Kaelon E. May, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 13th day of August, 2012.

  
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David Alexander  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 13th day of August, 2012.

  
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(L.S.)

Notary Public for South Carolina

My Commission Expires: August 23, 2014