

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County

J. C. Buddy Nicholson, Jr., Circuit Court Judge

RECEIVED

AUG 23 2012

S.C. Supreme Court

BRAD KEITH SIGMON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2009-136506

PETITION FOR EXTENSION TO FILE
THE REPLY TO BRIEF OF RESPONDENT

The undersigned counsel respectfully requests a **final ten-day extension, until September 4, 2012**, in which to file the reply to the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The reply to the brief of respondent is due to be served and filed today in this **death penalty case**.
2. **Counsel had back surgery on July 25, 2012. Counsel returned to work on Monday, August 13, 2012, but is continuing to have complications from the back surgery.**
3. Counsel is preparing for the remand hearing in the case of State v. Richard Gagnon scheduled for September 4, 2012 in Horry County, with several travel dates involved in

preparation for the hearing. In addition, **Counsel is currently working on two other death penalty cases:** Marion Alexander Lindsey v. State (with Co-Counsel David Alexander) and James Robertson v. State (with Co-Counsel Matt Bogan, pro bono, of the Nelson Mullins firm). Counsel is filing the initial brief of appellant and designation of matter in the case of State v. Anthony Wade with this Court today, August 23, 2012. Counsel filed the brief of petitioner in the case of Adams Gibson v. State with this Court on July 23, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Bernard Moore v. State, (capital case) with Co-Counsel Susan Hackett, with this Court on Wednesday, July 18, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Charles E. Copeland v. State with this Court on July 9, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Garvin Duvall (in the COA) with this Court on June 29, 2012. Counsel filed the petition for rehearing in the case of State v. Christopher Heller with the Court of Appeals on June 28, 2012. Counsel had an oral argument in the case of State v. Derrick McDonald in the Court of Appeals on June 19, 2012. Counsel filed the petition for rehearing in the case of State v. Robert S. Jolly with the Court of Appeals on June 15, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Brandon M. with the Court of Appeals on June 13, 2012, arguing a directed verdict of acquittal should be issued. Counsel filed the petition for writ of certiorari in Jerry Buck Inman v. South Carolina with the Supreme Court of the United States on June 11, 2011. Counsel filed the brief of petitioner in the case of State v. Tracy B. with this Court on June 8, 2012. Counsel had an oral argument in the case of State v. Tommy Toomer in the Court of Appeals on June 6, 2012. Counsel filed the brief of appellant in State v. Andre T. Richardson with the Court of Appeals on June 1, 2012.

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

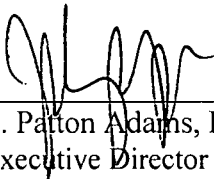
hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final ten-day extension, until September 4, 2012**. Counsel respectfully requests that the time limits for filing the reply to the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



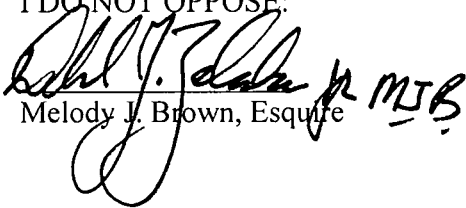
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

August 23, 2012

I DO NOT OPPOSE:



Melody J. Brown, Esquire