

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

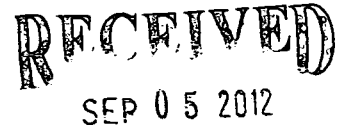
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 ORIGINAL

Appeal from Dorchester County

Diane Schafer Goodstein, Circuit Court Judge

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 RECEIVED  
SEP 05 2012

THE STATE,

RESPONDENT, **SC Court of Appeals**

v.

CESAR PORTILLO,

APPELLANT

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PETITION FOR EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

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Counsel for Cesar Portillo petitions the Court for a thirty day extension in which to file the initial brief of appellant and designation of matter in this case. In support of this petition, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. This is the fourth extension for Mr. Portillo.
2. Counsel for Mr. Portillo respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Counsel understands that in the previous extension request, she indicated that would be a final, however, given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.
3. Counsel filed the petition for writ of certiorari and accompanying appendix in Korrell Battle v. State on September 4, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Todd Smith on August 30, 2012. Counsel filed a petition for rehearing in State v. John Campbell on August 23, 2012. The initial brief of appellant and designation of matter in State v. John Bostic were filed on August 22, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Timothy Cobb on August 15, 2012. Counsel filed initial brief of appellant and designation of matter in State v. Breyon Toney on August 8, 2012. On August 6, 2012, counsel filed

the petition for writ of certiorari to the Court of Appeals in State v. Mike Salley and the briefs of petitioner in Gregory McHam v. State and Timothy Wallace v. State.

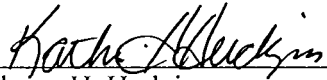
4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a thirty day extension in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

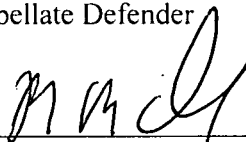
5. As indicated by signature below, Salley Elliott, of the South Carolina Attorney General's Office, does not oppose this request.

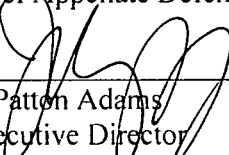
6. Counsel makes this request in good faith and not for purposes of delay.

Counsel respectfully requests a final thirty day extension in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

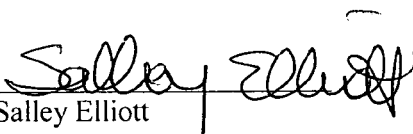
  
\_\_\_\_\_  
Kathrine H. Hudgins  
Appellate Defender

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

  
\_\_\_\_\_  
T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

September 5, 2012

I do not oppose:

  
\_\_\_\_\_  
Salley Elliott