

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Beaufort County

Carmen T. Mullen, Circuit Court Judge

Opinion No. 2011-UP-140 (S.C. Ct. App. filed 4/5/2011)
07-GS-07-00927

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SEP 06 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

PARIS AVERY,

PETITIONER.

APPELLATE CASE NO. 2011-194506

MOTION TO FILE EXTENSION
OUT OF TIME

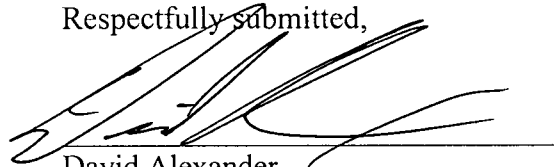
The undersigned counsel requests the Court allow counsel the time to file the thirty day extension of the brief of petitioner and additional copies of the appendix in this case out of time. In support of this motion counsel submits the following.

1. The petition for a writ of certiorari to the Court of Appeals in the above-entitled case was granted on July 27, 2012, making the brief of petitioner and additional copies of the appendix due to be filed on August 27, 2012.

2. However, counsel discovered on Wednesday, September 5, 2012, that this case was inadvertently not calendared and was due on Monday, August 27, 2012. Therefore, counsel respectfully requests an extension of thirty days in which to file the brief of petitioner and additional copies of the appendix in the case.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to allow counsel to file a thirty day extension of the brief of petitioner and additional copies of the appendix in the above entitled case out of time.

Respectfully submitted,

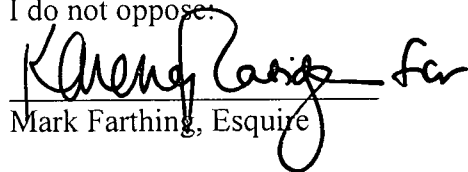


David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

September 5, 2012

I do not oppose:



Mark Farthing, Esquire