

 ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Oconee County

S.C. Supreme Court

R. Lawton McIntosh, Circuit Court Judge  
\_\_\_\_\_

DAVID A. FOWLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-207131

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

The undersigned counsel respectfully requests a **final thirty-day extension, until October 15, 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 today.

2. On September 12, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Gary White v. State with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in Marion Alexander Lindsey, a capital appeal in the Supreme Court, on September 7, 2012. Counsel filed the petitions for writ of certiorari and accompanying appendices in Antonio Glover v. State and

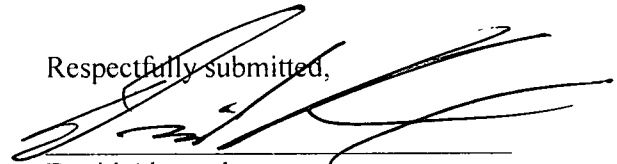
Darrell Goss v. State on July 23, 2012. On July 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Ricky New in this Court. Counsel filed the initial brief of appellant and designation of matter in State v. Jerry Goode in this Court on July 16, 2012. The brief of respondent in State v. Danny Cortez Brown was filed with this Court on July 11, 2012. Additionally, counsel suffered from an illness which prevented him from working during the early part of August.

3. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

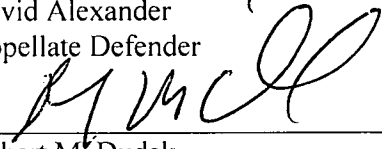
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until October 15, 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,



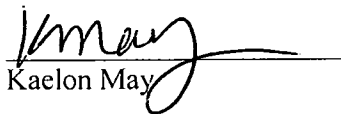
David Alexander  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

September 13, 2012

I do not oppose:



Kaelon May