

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Lexington County  
J. Cordell Maddox, Jr., Circuit Court Judge

NOV 26 2012

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

JAMES C. MILLER,

APPELLANT

Appellate Case No. 2011-194606

PETITION FOR EXTENSION TO FILE  
THE BRIEF OF PETITIONER  
AND ADDITIONAL COPIES OF THE APPENDIX

The undersigned counsel respectfully requests a **final thirty-day extension until December 26, 2012** in which to file the brief of petitioner and additional copies of the appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

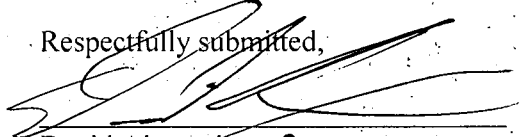
1. The brief of petitioner and additional copies of the appendix in this case are due to be served and filed today.
2. The petition for writ of certiorari and accompanying appendix in Douglas Thompson v. State were filed and served with the South Carolina Supreme Court on November 21, 2012. The petition for writ of certiorari and accompanying appendix in Charles Ray Dean v. State was filed in the Supreme Court on November 15, 2012. Counsel filed the initial brief of appellant and designation of matter with the Court of Appeals in State v. Michael Couch on November 7, 2012. On October 31, 2012, counsel

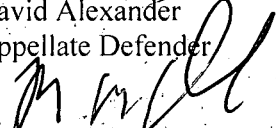
had an oral argument in the Supreme Court in State v. Danny Cortez Brown. Counsel had an oral argument in this Court on October 30, 2012 in State v. Norman Stoudenmire. Counsel filed the initial brief of appellate and designation of matter in State v. Eric Wright with this Court on October 25, 2012. The petition for writ of certiorari in Kenji Manning v. State was filed with the Supreme Court on October 22, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Vincent Neumon v. State in the Supreme Court on October 15, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the Supreme Court in David Fowler v. State on October 11, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tippy Marie Retana v. State in the Supreme Court on October 10, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Kendall Green v. State in the Supreme Court on October 5, 2012. Counsel had oral argument in the Supreme Court in the case of Ernest Pressley v. State on October 2, 2012.

3. 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 December 26, 2012**. Counsel respectfully requests that the time limits for filing the brief of petitioner and additional copies of the appendix be held in abeyance pending a ruling on this motion.

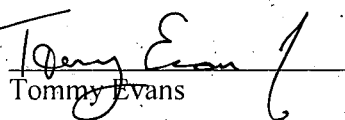
Respectfully submitted,

  
David Alexander  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

November 26, 2012

I do not oppose:

  
Tommy Evans