

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECORDED

DEC 12 2012

Appeal from Florence County
Michael G. Nettles, Circuit Court Judge

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SCOTT LEE,

APPELLANT

Appellate Case No. 2012-210830

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

Counsel for Scott Lee petitions the Court for a **final thirty day extension, until January 11, 2012** 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 fifth extension for Mr. Lee.

2. Counsel for Mr. Lee 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 return to petition for writ of certiorari in State v. Daniel Jenkins on December 7, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Frankie McGee and had an oral argument in State v. Timothy Wallace on December 5, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Donte Reid on November 26, 2012. On November 15, 2012, counsel had an oral argument in the South Carolina Supreme Court in State v. Mark Baker. On

November 9, 2012, counsel filed the Anders brief of appellant and record on appeal in State v. Timothy Young. Counsel filed the initial brief of appellant and designation of matter in State v. Alirio Ortiz in the Supreme Court on November 5, 2012.

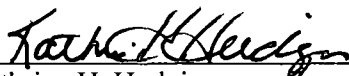
4. Counsel has not had time to complete the initial brief of appellant and designation of matter in this case. As a result, counsel respectfully asks this Court for a **final thirty day extension, until January 11, 2012**, in which to file the initial brief of appellant and designation of matter. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

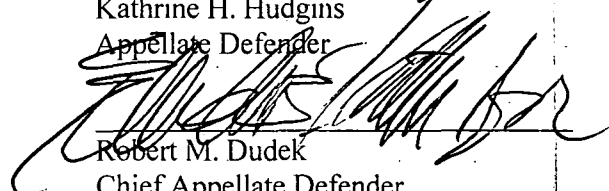
5. As indicated by signature below, Donald J. Zelenka, of the South Carolina Attorney General's Office, does not oppose this request.


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

Counsel respectfully requests a **final thirty day extension, until January 11, 2012**, in which to file the initial brief of appellant and designation of matter in this case based upon the above circumstances.

Respectfully submitted,

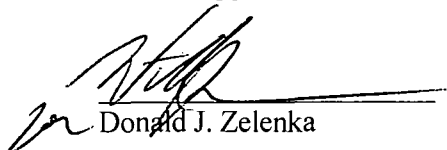

Kathrine H. Hudgins
Appellate Defender


Robert M. Dudek
Chief Appellate Defender


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

December 12, 2012

I do not oppose:


Donald J. Zelenka