

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
G. Thomas Cooper, Circuit Court Judge

RECEIVED

JAN 02 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

HENRY GRAY,

APPELLANT

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

The undersigned counsel respectfully requests a thirty-day extension (from **January 3, 2013**), until **February 4, 2013**, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed **Thursday, January 3, 2013**.

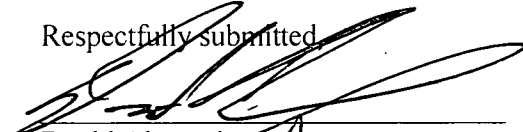
2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel filed the brief of petitioner in State v. James Miller with this Court on December 28, 2012. The initial brief of appellant and designation of matter in State v. Kevin Bennett were filed in the Court of Appeals on December 28, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald Jeffery Shows in the Court of Appeals on December 19, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dayvonn A. Valentine v. State in this Court on December 17, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Alexander v. State with this Court on December 12, 2012.

Counsel filed the petition for writ of certiorari and accompanying appendix in Ashante Wright v. State with this Court on December 12, 2012. Counsel filed the reply to return to petition for writ of certiorari in this Court in Darrell Goss v. State on December 4, 2012. Counsel filed the brief of petitioner in State v. Paris Avery with this Court on November 26, 2012. The petition for writ of certiorari and accompanying appendix in Douglas Thompson v. State were filed and served with this Court on November 21, 2012. The petition for writ of certiorari and accompanying appendix in Charles Ray Dean v. State was filed in this 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.

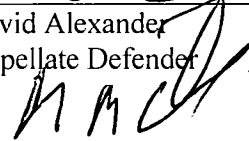
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully a thirty-day extension (from **January 3, 2013**), until **February 4, 2013**. 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.

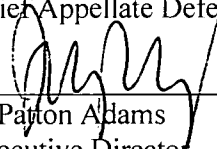
Respectfully submitted,



David Alexander
Appellate Defender



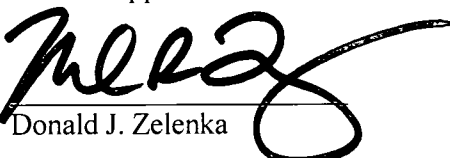
Robert M. Dudek
Chief Appellate Defender



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

January 2, 2013

I do not oppose:



Donald J. Zelenka

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