

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

 ORIGINAL

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

RECEIVED

FEB 04 2013

THE STATE,

SC Court of Appeals

RESPONDENT,

V.

HENRY GRAY,

APPELLANT

Appellate Case Number 2012-209426

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

The undersigned counsel respectfully requests a **final thirty-day extension until March 5, 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:

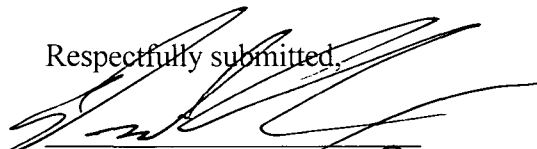
1. The initial brief of appellant and designation of matter in this case are due to be served and filed Monday February 4, 2013
2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel is also working on the petition for writ of certiorari in Brenda Gail Cutro v. State which has an appendix of over **4,700 pages**. On Thursday January 31, 2013, counsel filed the petition for writ of certiorari in Antonio Williams v. State in the Supreme Court. On Friday, January 25, 2013, counsel filed the initial brief of appellant and designation of matter in State v. Julian Deandre Battle in this Court. Counsel filed the

petition for writ of certiorari in Sterling Green v. State in the Supreme Court on Monday, January 21, 2013. On Monday, January 14, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Heyward Robinson v. State with the Supreme Court and the Anders brief of appellant and Record on Appeal in State v. Alfred Jackson in this Court. Counsel had an oral argument in this Court in the case of State v. Robert Jolly on January 10, 2013. Counsel filed the initial brief of appellant and designation of matter with this court in State v. Henry Lee Felder and the petition for rehearing with the Supreme Court in State v. Danny Cortez Brown on January 3, 2013. Counsel filed the brief of petitioner in State v. James Miller with the Supreme Court on December 28, 2012. The initial brief of appellant and designation of matter in State v. Kevin Bennett were filed in this court 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 this court 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 the Supreme 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 the Supreme Court on December 12, 2012.

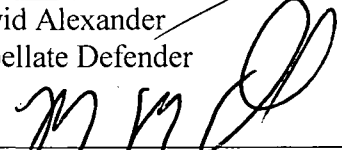
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully a **final thirty-day extension until March 5, 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.

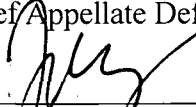
Respectfully submitted,



David Alexander
Appellate Defender



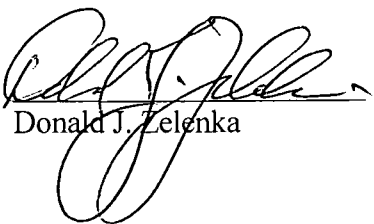
Robert M. Dudek
Chief Appellate Defender



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

February 4, 2013

I do not oppose:



Donald J. Zelenka