

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Certiorari to Greenwood County
Eugene C. Griffith, Jr., Circuit Court Judge

FEB - 7 2013

Opinion No. 5025 (S.C. Ct. App. filed 8/22/2012)

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

RANDY VICKERY,

PETITIONER

Appellate Case No. 2012-213211

**PETITION FOR EXTENSION TO FILE
THE REPLY TO THE RETURN TO THE
PETITION FOR WRIT OF CERTIORARI**

The undersigned counsel would respectfully request a **final ten-day extension, until February 19, 2013**, in which to file the reply to the return to the petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

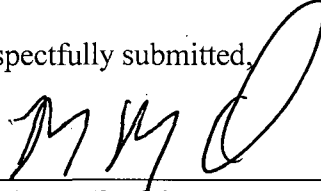
1. The reply to the return to the petition for writ of certiorari in this case is due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel had an oral argument in the case of State v. Steven Barnes, a death penalty case in this Court on February 5, 2013. Additionally, Counsel filed the petition for writ of certiorari and accompanying appendix in the case in the United States

Supreme Court on February 5, 2013, in the case of South Carolina v. Gene Tony Cooper. Counsel filed the petition for rehearing in the case of State v. Jason Franks in the Court of Appeals on January 31, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Dadrin Jerome Johnson (in the COA) in this Court on Friday, January 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Dadrin Jerome Johnson (in the COA) in this Court on January 18, 2013. Counsel had an oral argument in the case of State v. Adams Gibson in this Court on January 10, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyrone A. Ravenell v. State in this Court on January 7, 2013. Counsel filed the return to petition for writ of certiorari in the case of James v. Helms v. State in this Court on December 27, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Randy Vickery (in the COA) in this Court on December 21, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gerald Pitts in the Court of Appeals on December 19, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Leroy Laird in the Court of Appeals on December 12, 2012. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Tito Harris in the Court of Appeals on December 7, 2012. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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 ten-day extension, until February 19, 2013**, in which to file the reply to the return to the petition for writ of certiorari in this case. Counsel requests that the time limits for filing the reply to the return to the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R M D', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

February 7, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenwood County
Eugene C. Griffith, Jr., Circuit Court Judge

Opinion No. 5025 (S.C. Ct. App. filed 8/22/2012)

THE STATE,

RESPONDENT,

V.

RANDY VICKERY,

PETITIONER

CERTIFICATE OF SERVICE

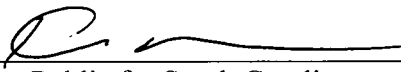
The undersigned attorney hereby certifies the petition in which to file the reply to the return to the petition for writ of certiorari in the above referenced case has been served upon William M. Blich, Jr., Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, and the S.C. Court of Appeals this 7th day of February, 2013.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 7th day of February, 2013.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: October 2, 2013