

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to York County

Lee S. Alford, Circuit Court Judge

RECEIVED

FEB 25 2013

S.C. Supreme Court

JAMES CORBETT

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2012-213158

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a thirty-day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. On Friday, February 22, 2013, counsel filed the brief of appellant and record on appeal in

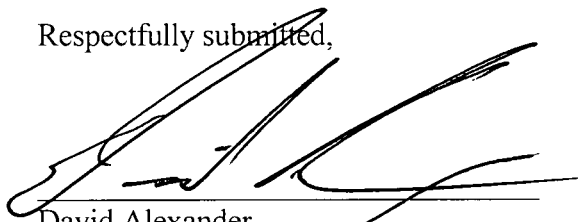
State v. Andrew Brent Scott in the Court of Appeals. On Thursday, February 14, 2013 counsel filed the petition for writ of certiorari in Brenda Gail Cutro v. State, which had an appendix of over **5,700 pages**, in this Court. On Friday, February 8, 2013, counsel filed the petition for writ of certiorari in the case of Ryan Antonio Chapman v. State in this Court. On Friday, February 8, 2013, counsel filed the petition for writ of certiorari in the case of Michael Lathan v. State in the this Court. On Wednesday, February 6, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Garfield DePriest v. State in this Court. On Tuesday, February 5, 2013, counsel filed the initial brief of appellant and designation of matter in State v. John J. Day in the Court of Appeals. On Tuesday, February 5, 2013, Counsel had an oral argument in the Court of Appeals in the case of State v. Manuel Marin. On Thursday, January 31, 2013, counsel filed the petition for writ of certiorari in Antonio Williams v. State in this Court. On Friday, January 25, 2013, counsel filed the initial brief of appellant and designation of matter in State v. Julian Deandre Battle in the Court of Appeals. Counsel filed the petition for writ of certiorari in Sterling Green v. State in this 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 in this Court and the brief of appellant and Record on Appeal in State v. Alfred Jackson in the Court of Appeals. Counsel had an oral argument in the Court of Appeals in the case of State v. Robert Jolly on January 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the Court of Appeals in State v. Henry Lee Felder and the petition for rehearing in this Court in State v. Danny Cortez Brown on January 3, 2013. Counsel filed the brief of petitioner in State v. James Miller in 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.

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 thirty day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

February 25, 2013

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to York County

Lee S. Alford, Circuit Court Judge

JAMES CORBETT

RESPONDENT,

V.

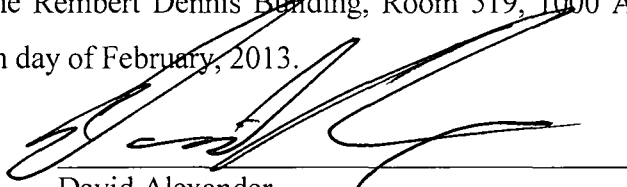
STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2012-213158

CERTIFICATE OF SERVICE

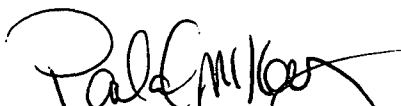
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon J. Rutledge Johnson, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 this 25th day of February, 2013.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 25th day of February, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.