

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Anderson County
J. Cordell Maddox, Jr., Circuit Court Judge

RECEIVED

MAY 30 2012

Opinion No. 2012-UP-132 (S.C. Ct. App. filed 2/29/2012)
07-GS-04-1218-1219.

S.C. Supreme Court

(2)

THE STATE,

RESPONDENT,

v.

GARVIN DUVALL,

APPELLANT

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
FROM THE COURT OF APPEALS
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a **final thirty-day extension, until June 29, 2012**, 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:

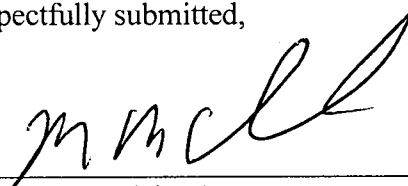
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in Justin O. Byers v. State with this Court on Friday, May 25, 2012. Counsel filed the petition for writ of certiorari and accompanying appendix in Tyrone Ransom v. State with this Court on Thursday, May 24, 2012. Counsel filed the petition for writ of certiorari in Michael Joseph Fleming v. State with this Court on Wednesday, May 23, 2012. Counsel filed the initial brief of appellant

and designation of matter in State v. Ricky Shane Black with the Court of Appeals on May 21, 2012. Counsel met with a client at Lieber Correctional Institution on Thursday, May 17, 2012. Counsel filed the brief of petitioner in State v. Gene Tony Cooper with this Court on May 14, 2012. Counsel also filed the petition for writ of certiorari and accompanying appendix in Tyrone Lewis, Jr. v. State with this Court on May 14, 2012. Counsel filed the initial brief of appellant and designation of matter in State v. Darren Scott with the Court of Appeals on May 9, 2012. Counsel had an oral argument in State v. Thomas Patrick Hilliard before the Court of Appeals on May 7, 2012. Counsel had an oral argument in State v. Anthony Gracely before this Court on May 2, 2012. Counsel is currently working on three death penalty cases: Marion Alexander Lindsey v. State, Richard Bernard Moore v. State, and James Robertson v. State. In addition to the above, counsel has very extensive administrative duties on a daily basis 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 thirty-day extension, until June 29, 2012**. 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,



Robert M. Dudek
Chief Appellate Defender

May 30, 2012

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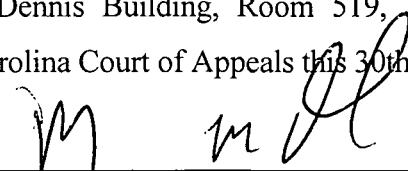
V.

GARVIN DUVALL,

APPELLANT

CERTIFICATE OF SERVICE

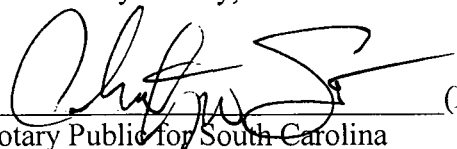
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, and the South Carolina Court of Appeals this 30th day of May, 2012.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

SUBSCRIBED AND SWORN TO before me
this 30th day of May, 2012.



(L.S.)
Notary Public for South Carolina

My Commission Expires: May 16, 2021.