

STATE OF SOUTH CAROLINA

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IN THE SUPREME COURT

MAY 25 2012

Appeal From Oconee County
Honorable Alexander S. Macaulay, Circuit Court Judge

S.C. Supreme Court

3)

THE STATE.

RESPONDENT,

vs.

DAVID LEE COWARD,

APPELLANT.

**PETITION FOR EXTENSION OF TIME TO SERVE AND FILE THE RETURN
TO THE PETITION FOR WRIT OF CERTIORARI**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Return to the Petition for Writ of Certiorari are due to be filed and served, May 29, 2012, pursuant to two previous extensions granted by the Court.

II.

Due to an unusually heavy workload that includes preparing for two days of post-conviction relief hearings in the First Judicial Circuit, training a new PCR attorney, and other matters, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Return to the Petition for Writ of Certiorari.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

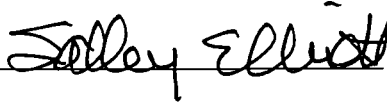
WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to the Petition for Writ of Certiorari in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

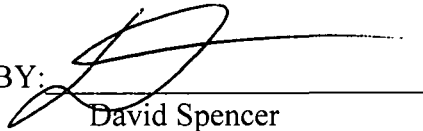
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

BY: 


DAVID SPENCER
Assistant Deputy Attorney General

BY: 
David Spencer

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

May 25, 2012


DAYNE C. PHILLIPS
Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Oconee County
Honorable Alexander S. Macaulay, Circuit Court Judge

THE STATE.

Respondent,

vs.

DAVID LEE COWARD,

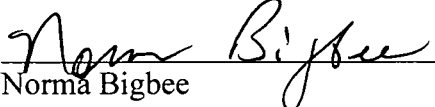
Appellant.

PROOF OF SERVICE

I, Norma Bigbee certify that I have served the Petition for Extension of Time to Serve and File the Return to the Petition for Writ of Certiorari on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, Dayne C. Phillips, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 25th day of May, 2012.


Norma Bigbee
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

May 25, 2012

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MAY 25 2012

S.C. Supreme Court

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Supreme Court
Post Office Box 11330
Columbia SC 29211

RE: **State v. David Lee Coward**
2007-GS-37-1835, 1836

Dear Mr. Shearouse:

Enclosed please find the Original and six (6) copies of the Petition for Extension of Time in which to Serve and File the Return to the Petition for Writ of Certiorari in the above case.

Sincerely,

David Spencer
Assistant Deputy Attorney General

DS/nb

Enclosures

cc: Dayne C. Phillips, Esquire (2 copies)
Ms. Trisha Allen