

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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

SC Court of Appeals

THE STATE,

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 April 6th, 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 today. **Counsel will file the brief with this Court, if possible, earlier than the thirty (30) day extension requested, and Counsel has discussed the number of extensions in this case with Chief Appellate Defender, Robert Dudek. Counsel expects to file this brief by March 11, 2013.**

2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. On Wednesday, March 6, 2013, counsel filed the brief of appellant and record on appeal in State v. Kurt Kalani Sparks in this Court. On Friday, March 1, 2013, counsel filed the

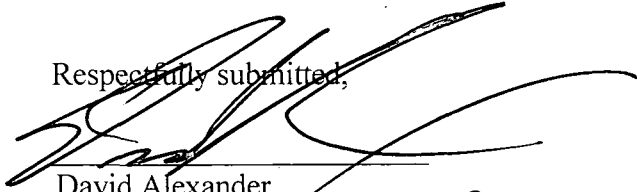
petition for writ of certiorari and accompanying appendix in the case of Sherman Dewalt v. State in the Supreme Court. On Thursday, February 28, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenneth Lee Huckabee v. State in the Supreme Court. On Wednesday, February 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyquan Jared Jones v. State in the Supreme Court. On Friday, February 22, 2013, counsel filed the brief of appellant and record on appeal in State v. Andrew Brent Scott in this Court. On Thursday, February 14, 2013 counsel filed the petition for writ of certiorari and accompanying appendix in the case of 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 and accompanying appendix in the case of Ryan Antonio Chapman v. State in the Supreme Court. On Friday, February 8, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Lathan v. State in the Supreme 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 the Supreme Court. On Tuesday, February 5, 2013, counsel filed the initial brief of appellant and designation of matter in State v. John J. Day in this Court. On Tuesday, February 5, 2013, Counsel had an oral argument in this Court 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 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 and accompanying appendix in the case of 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 in the Supreme Court and the 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 in this Court in the case of State v. Henry Lee Felder and the petition for rehearing in the Supreme Court in State v. Danny Cortez Brown on January 3, 2013.

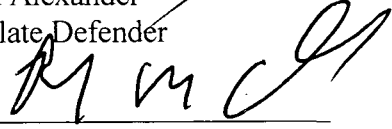
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension until April 6, 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.

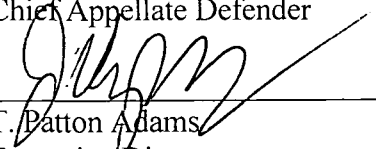
Respectfully submitted,



David Alexander  
Appellate Defender



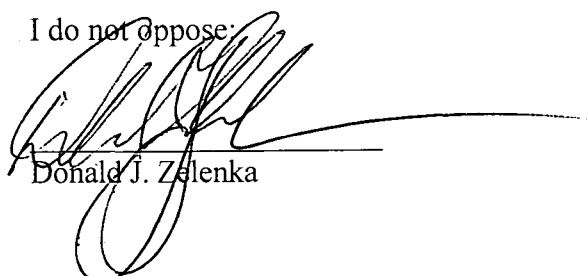
Robert M. Dudek  
Chief Appellate Defender



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

March 6, 2013

I do not oppose:



Donald J. Zelenka