

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Aiken County

D. Garrison Hill, Circuit Court Judge

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**RECEIVED**

APR 17 2013

**S.C. Supreme Court**

ERNEST PRESSLEY,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER.

APPELLATE CASE NO. 2013-000304

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

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The undersigned counsel respectfully requests a thirty day extension in which to file 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 extraordinary circumstances:

1. The return to the petition for writ of certiorari in this case is due to be served and filed today.
2. Counsel is currently working on a **death penalty case** in Marion Bowman v. State. Counsel is currently working on a Petition for Writ of Certiorari to be filed with the United States Supreme Court in the case of Danny Brown v. State of South Carolina. On Friday, April 12, 2013, counsel filed the brief of appellant and designation of matter in State v. Steven Kranendonk in the Court of Appeals. On Thursday April 11, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Barbare v. State in this Court. On Wednesday, April 10,

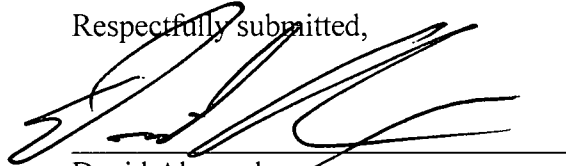
2013, counsel filed the brief of appellant and designation of matter in State v. Tyris Bernard Glover in the Court of Appeals. On Monday April, 8 2013, counsel filed the initial brief of appellant and designation of matter In the interest of Bryson W., A Minor in the Court of Appeals. On Thursday, April 4, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Angel Gonzales v. State in this Court. On Monday, March 25, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffery Augustine v. State in this Court. On Friday, March 22, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Boyce Lee Nesbitt v. State in the this Court. On Thursday March 21, 2013, counsel filed the initial brief of appellant and designation of matter in State v. In the interest of Tyairy G., A Minor in the Court of Appeals. On Friday, March 15, 2013, counsel filed the brief of appellant and record on appeal in State v. Antwon Byars in the Court of Appeals. Counsel also filed the initial brief of appellant and designation of matter in State v. Henry Gray in the Court of Appeals. On Monday, March 11, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adrian A. Allen v. State in this Court. Wednesday, March 6, 2013, counsel filed the brief of appellant and record on appeal in State v. Kurt Kalani Sparks in the Court of Appeals. 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 this 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 this 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 this Court. 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 and accompanying appendix in the case of Brenda Gail Cutro v. State, which had an appendix of over **5,700 pages**, in the Court of Appeals.

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 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 'David Alaxander', written over a horizontal line.

David Alaxander  
Appellate Defender

April 17, 2013

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Aiken County

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ERNEST PRESSLEY,

RESPONDENT,

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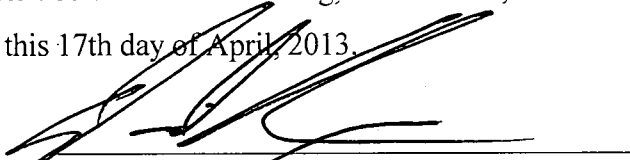
APPELLATE CASE NO. 2013-000304

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CERTIFICATE OF SERVICE

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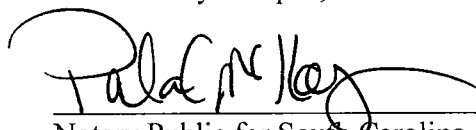
The undersigned attorney hereby certifies that a true copy of the petition for extension to file the return to the petition for writ of certiorari in the above referenced case has been served upon Megan Harrigan, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 17th day of April, 2013.



David Alexander  
Appellate Defender

ATTORNEY FOR RESPONDENT.

SUBSCRIBED AND SWORN TO before me  
this 17th day of April, 2013.

 (L.S.)  
Notary Public for South Carolina  
My Commission Expires: July 24, 2022.