

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

RECEIVED

APR 17 2013

S.C. Supreme Court

JAMES RANDOLPH FRADY,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-207126

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF
CERTIORARI AND APPENDIX

Counsel for James Randolph Frady respectfully requests a **final extension of thirty (30) days until May 17, 2013**, in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today, April 17, 2013.
2. Counsel for Mr. Frady respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions

previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

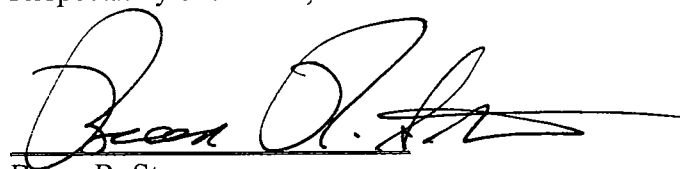
3. On April 15, 2013, counsel filed a brief of appellant and designation of matter in State v. Ricky Bowman in the Court of Appeals. On April 9, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Montag Webb v. State in this Court. On April 8, 2013, counsel filed a brief of appellant and record on appeal in State v. Jabbarie Brown in the Court of Appeals. On April 2, 2013, counsel held an oral argument in State v. Brandon Rogers before the Court of Appeals. On April 1, 2013, counsel filed a brief of appellant and record on appeal in State v. Eric Shoddy in the Court of Appeals; and counsel filed a petition for writ of certiorari and accompanying appendix, along with a petition for writ of certiorari pursuant to Austin v. State in Randy Bryant v. State in this Court. On March 22, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Antonio Lamont Boykin v. State in this Court; and counsel filed a Johnson petition for writ of certiorari and accompanying appendix in David Fitch v. State with this Court. On March 8, 2013, counsel filed the brief of appellant and designation of matter in State v. Crystal Nicole Thomas with the Court of Appeals. On March 6, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Eugene Santiago v. State in this Court. On March 5, 2013, counsel held oral arguments in State v. Christopher Watson, and in State v. Joseph Cobb, before the Court of Appeals. On February 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Martina R. Putnam v. State in this Court. On February 20, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Octavious C. Neely v. State in this Court. On February 15, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Islam Dunn v. State in this Court.

4. Counsel makes this request in good faith and not for purpose 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.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

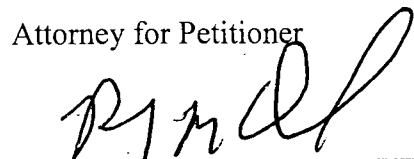
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until May 17, 2013**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Breen R. Stevens
Appellate Defender

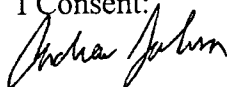
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 17th day of April, 2013

I Consent:



FOR

John Walt Whitmire