



STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

BILL PRYOR
ATTORNEY GENERAL

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, AL 36130
(934) 342-7300
WWW.AGG.STATE.AL.US

August 19, 2003

Mary H. Harris
Circuit Court Clerk
P. O. Box 1810
Columbiana, AL 35051

Re: Ronald Patrick Swiney v. State of Alabama
CC 88-077.60

Dear Ms. Harris:

Enclosed please find, for the purpose of filing with the Court,
State's Motion for Enlargement of Time and Notice of Appearance.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Clay Crenshaw".

Clay Crenshaw
Assistant Attorney General

cc: Wilson Myers, Sr.

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

RONALD PATRICK SWINEY,)	
)	
Petitioner,)	
)	
v.)	Case No. 88-077.60
)	
STATE OF ALABAMA,)	
)	
Respondent.)	

STATE'S MOTION FOR ENLARGEMENT OF TIME

The State of Alabama has recently received a Rule 32 petition filed on behalf of life without parole inmate Ronald Patrick Swiney. The respondent has calculated that its answer to Swiney's Rule 32 petition is presently due on September 12, 2003. The respondent, for the following reasons, respectfully requests an enlargement of time of 60 days to file its answer:

1. The Rule 32 petition numbers over 38 pages and raises numerous claims. The respondent needs additional time to evaluate each of these claims in determining which ground of procedural default is applicable and which claims should be summarily dismissed.

2. Undersigned counsel has the following court deadlines that necessitate the filing of this motion:

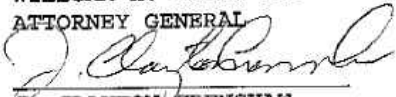
- a. *Hubbard v. Campbell*
Case No. 03-5646
United States Supreme Court
Brief in Opposition due on
September 4, 2003
- b. *Kuenzel v. Campbell*
Case No. 03-10617-P
United States Court of Appeals
for the Eleventh Circuit
Oral Argument on September 9, 2003
- c. *Jeremiah Jackson v. State of Alabama*
Case No. CC 96-27.60
Bibb County Circuit Court
Evidentiary Hearing on October 17, 2003
- d. *Brandon Samra v. State of Alabama*
Case No. CC 97-384.60
Shelby County Circuit Court
Evidentiary Hearing on November 3-5, 2003

Respondent respectfully requests additional time because of these above-mentioned court deadlines.

WHEREFORE, for the foregoing reasons, the State respectfully requests an additional 60 days to file its answer to Swiney's Rule 32 petition. The State's filings will be due on November 11, 2003, if the Court grants this motion.

Respectfully submitted,


WILLIAM H. PRYOR JR.
ATTORNEY GENERAL


J. CLAYTON CRENSHAW
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I hereby certify that on this 19~~th~~ day of August, 2003, I did serve a copy of the foregoing on the attorney for Ronald Patrick Swiney, by placing the same in the United States Mail, first class, postage prepaid and addressed as follows:

Wilson Myers, Sr.
156 E. 15th Avenue, Suite 6
Gulf Shores, AL 36542


Clay Crenshaw

Address of Counsel:

Attorney General's Office
Alabama State House
11 South Union Street
Montgomery, Alabama 36130
Office (334) 242-7423
Fax (334) 353-3637

IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

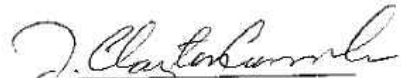
RONALD PATRICK SWINEY,)	
)	
Petitioner,)	
)	
v.)	Case No. 88-077.60
)	
STATE OF ALABAMA,)	
)	
Respondent.)	

NOTICE OF APPEARANCE

COMES NOW the undersigned, J. Clayton Crenshaw, and enters his appearance as counsel for the State of Alabama along with Robbie Owens, District Attorney for Shelby County, in the above-styled cause.

Respectfully submitted,

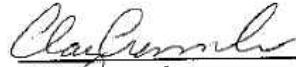
WILLIAM H. PRYOR JR.
ATTORNEY GENERAL


J. CLAYTON CRENSHAW
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of August, 2003, I did serve a copy of the foregoing on the attorney for Ronald Patrick Swiney, by placing the same in the United States Mail, first class, postage prepaid and addressed as follows:

Wilson Myers, Sr.
156 E. 15th Avenue, Suite 6
Gulf Shores, AL 36542


Clay Crenshaw

Address of Counsel:

Attorney General's Office
Alabama State House
11 South Union Street
Montgomery, Alabama 36130
Office (334) 242-7423
Fax (334) 353-3637