

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Greenville County  
Edward M. Miller, Circuit Court Judge

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**RECEIVED**

MAY 20 2013

**S.C. Supreme Court**

Opinion No. 2013-UP-058 (S.C. Ct. App. filed 01/30/13)

09-GS-23-10018

THE STATE,

RESPONDENT,

V.

BOBBY J. BARTON,

PETITIONER

APPELLATE CASE NO. 2013-000804

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**PETITION FOR EXTENSION TO FILE  
PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX**

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The undersigned counsel would respectfully request a final thirty-day extension in which to file the petition for writ of certiorari to the Court of Appeals and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari to the Court of Appeals and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the Petition for Rehearing in the case of The State v. Anthony Martin with the Court of Appeals on May 16, 2013. Counsel had an oral

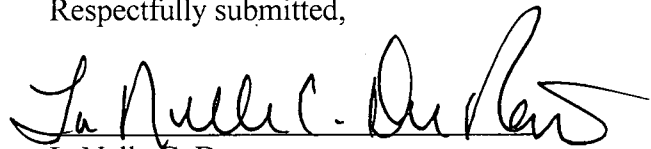
argument in the case of The State v. Anthony Tilmon with the Court of Appeals on May 15, 2013. Counsel filed the Initial Brief of Appellant in the case of The State v. Benjamin J. Jackson with the Court of Appeals on May 13, 2013. Counsel had an oral argument in the case of The State v. David N. Rhoad in the Court of Appeals on May 8, 2013. Counsel had an oral argument in the case of The State v. Michael Milledge in the Court of Appeals on May 6, 2013. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Jovon Brown v. The State of South Carolina with this Court on May 1, 2013. Counsel filed the Petition for Rehearing in the case of The State v. Eugene D. Patterson with the Court of Appeals on May 1, 2013. Counsel filed the Johnson Petition for Writ of Certiorari in the case of Giles Belcher v. State of South Carolina with this Court on April 24, 2013. Counsel filed the Johnson Petition for Writ of Certiorari in the case of Jeremy J. Jeter v. State of South Carolina with this Court on April 24, 2013. Counsel filed the Brief of Petitioner in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez in this Court on April 23, 2012. Counsel filed the Brief of Petitioner and the Brief of Respondent in the case of In the Matter of Care and Treatment of Vince Neal Way in this Court on April 23, 2013. Counsel filed the petition for rehearing in the case of State v. Alonza Dennis in the Court of Appeals on April 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Justin Nelson v. State with this Court on April 15, 2013. Counsel had an oral argument in the case of State v. Ronald Gooden in the Court of Appeals on April 10, 2013. Counsel had an oral argument in the case of State v. John Mack with the Court of Appeals on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Christopher O'Neal Pringle v. State in this Court

on April 3, 2013. Counsel had an oral argument in the case of State v. David Jakes with the Court of Appeals on April 3, 2013. Counsel had an oral argument in the case of State v. Anthony Martin in the Court of Appeals on April 3, 2013. Counsel had an oral argument in the case of State v. Clarence Logan, Jr. with this Court on April 2, 2013. Counsel had an oral argument in the case of State v. Eugene Patterson in the Court of Appeals on April 1, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alfred Redwine v. State with this Court on March 27, 2013.

3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a final thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
LaNelle C. Durant  
Appellate Defender

May 20, 2013

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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THE STATE,

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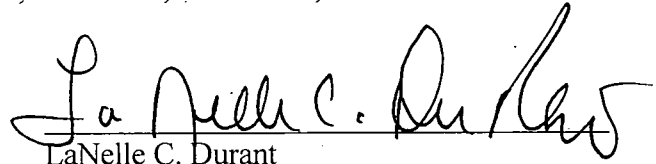
PETITIONER

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CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies the petition in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon William M. Blich, Jr., Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, and the S.C. Court of Appeals this 20<sup>th</sup> day of May, 2013.



LaNelle C. Durant  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 20<sup>th</sup> day of May, 2013.

  
\_\_\_\_\_(L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 2, 2013