

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Bamberg County
Edgar W. Dickson, Circuit Court Judge

RECEIVED

MAY 28 2013

S.C. Supreme Court

MICHAEL MILLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-212581

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

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari 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 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 is preparing to file the initial brief of appellant and designation of matter in the case of State v. Luther Tollie Norris in the Court of Appeals today, May 28, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Matthew W. Gilliard v. State in this Court on May 22, 2013. Counsel filed the

initial brief of appellant and designation of matter in the case of State v. Douglas Bret Bishop in the Court of Appeals on May 21, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Trevee J. Gethers (Cert in the COA) in this Court on May 15, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Travario Dormell Brunson in this Court on May 14, 2013. Counsel had an oral argument in the case of State v. Marshall McGaha in the Court of Appeals on May 8, 2013. Counsel had an oral argument in the case of State v. Sasha Gaskins in the Court of Appeals on May 7, 2013. Counsel had an oral argument in the case of State v. Reginald Nance in the Court of Appeals on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kevin R. in the Court of Appeals on May 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Malik Matthews in the Court of Appeals on April 29, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Thomas Gilliland (Cert in the COA) in this Court on April 26, 2013. Counsel filed the petition for rehearing in the case of State v. Anthony Hackshaw with the Court of Appeals on April 25, 2013. Counsel filed the petition for rehearing in the case of State v. Connie Dumas in the Court of Appeals on April 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jeffrey Dodd Thomas with the Court of Appeals on April 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremey Durant v. State with this Court on April 23, 2013. Counsel filed the record on appeal in the case of State v. Derringer Young in the Court of Appeals on April 23, 2013. Counsel filed the record on appeal in the case of State v. Devontay Henson with the Court of Appeals on April 23, 2013. Counsel filed the

petition for writ of certiorari in the case of State v. Stevie Lamont Aiken (Cert in the COA) in this Court on April 22, 2013. Counsel filed the petition for writ of certiorari in the case of State v. Kendrick Dennis (Cert in the COA) in this Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case Ricky Dean Duncan v. State in this Court on April 22, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Floyd v. State with this Court on April 17, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeremy Richard Phillips v. State in this Court on April 15, 2013. Counsel filed the record on appeal in the case of State v. Sam Harold Smith in the Court of Appeals on April 12, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Ladorrean Collington on April 10, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Sasha Gaskins on April 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Evelyn Buckle v. State with this Court on April 4, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Rodrigues Carter on April 3, 2013. Counsel had an oral argument with the Court of Appeals in the case of State v. Loudin Rohr on April 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Clarence Jenkins with the Court of Appeals on April 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lamar D. Williams in the Court of Appeals on March 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Damien Inman with the Court of Appeals on March 28, 2013.

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

WHEREFORE, the undersigned counsel would respectfully request a 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,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

May 28, 2013

STATE OF SOUTH CAROLINA
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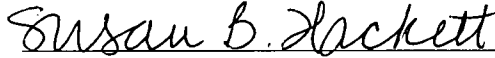
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE


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 Salley W. Elliott, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 28th day of May, 2013.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 28th day of May, 2013.



(L.S.)
Notary Public for South Carolina
My Commission Expires: November 16, 2022.