

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County
Roger M. Young, Circuit Court Judge

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MAY 29 2013

S.C. Supreme Court

JAMES IVAN AIKEN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000083

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

Counsel for James Ivan Aiken respectfully requests an extension of thirty (30) days 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.

2. Counsel for James Ivan Aiken 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 her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of The State v. Ralph Bernard Coleman with this Court on May 23, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Titus Bantan v. State of

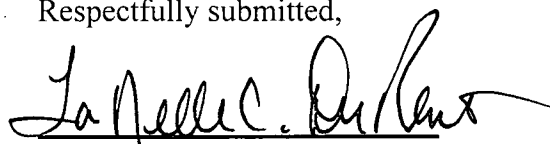
South Carolina with this Court on May 23, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Devin Gantt v. State of South Carolina with this Court on May 22, 2013. Counsel filed a return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Christopher Broadnax with this Court on May 21, 2013. 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.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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 based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

May 29th, 2013

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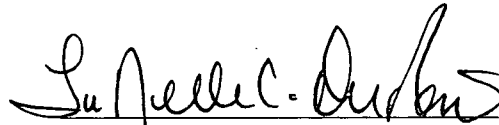
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CERTIFICATE OF SERVICE

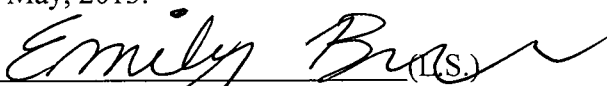
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh R. Wilson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 29th day of May, 2013.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 29th day
of May, 2013.


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