

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Dec 30 2022

S.C. SUPREME COURT

—————
Certiorari to Kershaw County
Honorable Grace Gilchrist Knie, Circuit Court Judge
Appellate Case No.: 2022-000753
—————

James W. Miller, #367454,

Petitioner,

vs.

The State of South Carolina,

Respondent.
—————

**MOTION FOR THIRD EXTENSION
TO SERVE AND FILE APPENDIX AND
PETITION FOR A WRIT OF CERTIORARI**

—————
Petitioner, by and through its undersigned counsel, would respectfully show
unto this Court as follows:

I.

The Petition for a Writ of Certiorari and Appendix are due to be filed and served today, December 30, 2022. Pursuant to RE: *Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings*: Order of the South Carolina Supreme Court dated March 18, 2009, the Petitioner respectfully requests a third extension in the above referenced appeal upon a showing of good cause.

Counsel is a solo practitioner as well as a part-time assistant solicitor with the 6th Circuit Solicitor's Office. From November 28, 2022 through December 20, 2022, Counsel was in court almost every single day for PCR court, for General Sessions matters in Fairfield County, for Fairfield juvenile court, for General Sessions appearances, as well as preliminary hearings in Fairfield County and

Winnsboro Municipal Court. In addition, during this time Counsel had four medical specialist appointments. Furthermore, society is in the middle of the end of the year festivities.

II.

This extension request is not intended for purposes of delay, but rather to ensure the Petition and Appendix are properly written and created. Counsel would therefore request a third extension of time within which to serve and file both. Counsel further certifies that the extension is warranted and there is good cause to seek the extension. Further, counsel for the State does not oppose this request.

WHEREFORE, Petitioner prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Petition for a Writ of Certiorari and Appendix in this case for and additional thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,



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ATTORNEY FOR PETITIONER

December 30, 2022

-Continued on next page-

In compliance with:

In Re: Extensions in Criminal and Post-Conviction Relief Cases, (S.C. Sup. Ct. order dated March 18, 2009) (Davis Adv. Sh. No. 13 at 1):



Ashley McMahan <ashley@mcmahantaylor.com>
to William ▾

And would you oppose a 3rd ext request on Miller?

Ashley A. McMahan

Attorney at Law

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William Blitch
to Ashley ▾

I absolutely do not oppose. I have no idea what all materials we have, but I will see and get those to you.



William M. Blitch, Jr.

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