

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

Roger M. Young, Circuit Court Judge

RECEIVED

JUN 28 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 a **final thirty (30) day extension, until July 29, 2013**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today, March 25, 2013. The Court has granted counsel two previous extensions.
2. Counsel for Mr. 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 the petition for rehearing in the case of The State v. Daniel Rogers with the Court of Appeals on June 27, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Michael Dover v. The State with the Supreme Court on June 27, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Jimmy Lee Sessions with the Supreme Court on June 19, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Demetrius Goodwin with the Supreme Court on June 19, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Bobby J. Barton with the Supreme Court on June 19, 2013. Counsel had an oral argument in the case of The State v. Christopher Taft, in the Court of Appeals on June 13, 2013. Counsel had an oral argument in the case of The State v. John Peter Barnes, in the Court of Appeals on June 13, 2013. Counsel had an oral argument in the case of The State v. Kenneth S. Bolden, in the Court of Appeals on June 12, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Douglas M. Thompson, with the Court of Appeals on June 12, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ontaney V. Jackson with the Court of Appeals on May 31, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kareem J. Leaphart v. State of South Carolina with the Supreme Court on May 30, 2013. Counsel filed the brief of respondent in the case of The State v. Phillips Wesley Sawyer with the Supreme Court on May 30, 2013. Counsel filed a petition for writ of certiorari to the Court of Appeals in the case of The State v. Ralph Bernard Coleman with the Supreme Court on May 23, 2013. Counsel filed the Johnson petition

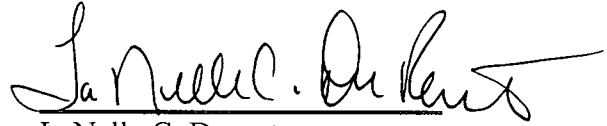
for writ of certiorari and accompanying appendix in the case of Titus Bantan v. State of South Carolina with the Supreme Court on May 23, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Devin Gantt v. State of South Carolina with the Supreme Court 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 the Supreme 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 the Supreme 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.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

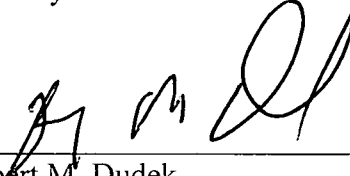
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until July 29, 2013**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

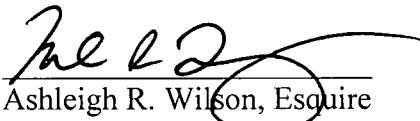
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 28th day of June, 2013.

I consent:


Ashleigh R. Wilson, Esquire