

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

 ORIGINAL

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Certiorari to Georgetown County  
Steven H. John, Circuit Court Judge

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**RECEIVED**

AUG 12 2013

S.C. Supreme Court

HEYWARD DAVIS,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-213604

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

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Counsel for Heyward Davis 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 Heyward Davis 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 initial reply brief of appellant and designation of matter in the case of The State v. Donald Marquice Anderson with the Court of Appeals on July 30, 2013. Counsel filed the initial reply brief of appellant and designation of matter in the case of The State v. Marcus Daniel Allison with the Court of Appeals on July 30, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronald Cohens v. State of South Carolina with this Court on July 24, 2013. Counsel filed petition for writ of certiorari in the case of Donald C. Brevard v. State of South Carolina with this Court on July 17, 2013. Counsel filed the petition for rehearing in the case of The State v. Richard Burton Beekman with the Court of Appeals on July 11, 2013. Counsel filed the petition for rehearing in the case of The State v. David Tyre with the Court of Appeals on July 11, 2013. Counsel filed the Brief of Appellant in the case of The State v. Tina Dockery in the Court of Appeals on July 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Roosevelt Kadeem Workman with the Court of Appeals on July 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randy Jennings v. State of South Carolina with this Court on July 5, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Forrest Kelly Samples with the Court of Appeals on June 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Christopher Miller with the Court of Appeals on June 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Benjamin Davis v. State of South Carolina with this Court on June 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Derek S. Carter v. State of South Carolina

with this Court on June 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Carlos Lamonte McJimpsey 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. Taurus L. 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. James Tyner with the Court of Appeals on June 7, 2013. Counsel had an oral argument in the case of The State v. David Tyre in the Court of Appeals on June 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Bobby M. Shaw v. The State with this Court on June 5, 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,



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Carmen V. Ganjehsani  
Appellate Defender

Attorney for Petitioner

12<sup>th</sup> August, 2013

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HEYWARD DAVIS,

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CERTIFICATE OF SERVICE

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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 Tyson Andrew Johnson, Sr., Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 12th day of August, 2013.

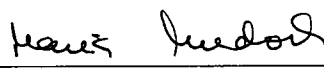


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Carmen V. Ganjehsani  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 12th day  
of August, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023.