

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

RECEIVED

OCT 17 2013

S.C. Supreme Court

TIJUAN PEAKE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001271

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

Counsel for Tijuan Peake 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 Tijuan Peake 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.

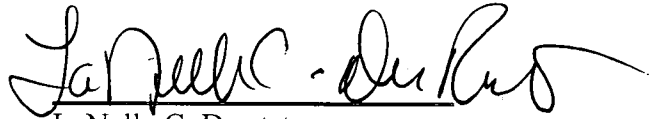
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony L. Mattison v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Thomas Arnold Gregory v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fredrick E. Johnson v. State of South Carolina with this Court on October 11, 2013. Counsel had an oral argument in the case of The State v. Oran Smith in the Court of Appeals on October 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Daniel Demond Griffin with the Court of Appeals on October 4, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tavarus Lee Rogers v. State of South Carolina with the Supreme Court on October 3, 2013. Counsel had an oral argument in the case of Clarence Robinson v. State of South Carolina in this Court on October 1, 2013. Counsel filed the initial reply brief of appellant and designation of matter in the case of Andrew James Harrelson v. State of South Carolina with the Court of Appeals on September 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wayne McLaughlin v. State of South Carolina with this Court on September 19, 2013. Counsel filed the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Anthony Martin with the Supreme Court on September 18, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Anthony Martin with this Court on September 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frederick Jeter v. State of South Carolina with this Court on September 10, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Fardarrell L. Hudgens v. State of South Carolina with this Court on September 10, 2013.

Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keena Lamont Rivers v. State of South Carolina with this Court on September 9, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of Verntirell Dukes v. State of South Carolina with the Court of Appeals on September 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Justin A. Austin v. State of South Carolina with this Court on September 3, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Cedric Kearsce v. State of South Carolina with this Court on September 3, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Donna Lynn Phillips with the Court of Appeals on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Eugene Patterson with this Court on August 23, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Alonza Dennis with this Court on August 21, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George Grant, Jr. v. State of South Carolina with this Court on August 21, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Christopher Taft with the Court of Appeals on August 20, 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,

A handwritten signature in black ink, appearing to read "LaNelle C. Durant". The signature is written in a cursive style with a horizontal line underneath it.

LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

October 17, 2013

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IN THE SUPREME COURT

Certiorari to Union County
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TIJUAN PEAKE,

PETITIONER,

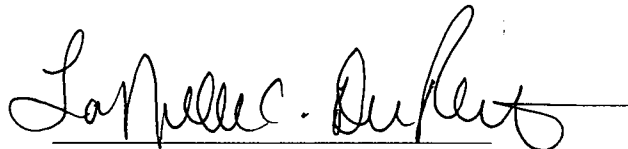
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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 Tyson Andrew Johnson, Jr., Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of October, 2013.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 17th day
of October, 2013.

Markus Decker (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.