

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County

R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

OCT 23 2013

S.C. Supreme Court

HORACE ABNEY, JR.,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2013-000136

PETITION FOR EXTENSION TO FILE THE
RETURN TO THE PETITION FOR WRIT OF CERTIORARI

The undersigned counsel respectfully requests a thirty day extension in which to file the return to the petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The return to the petition for writ of certiorari in this case is due to be served and filed today.
2. Counsel is preparing for a Reconstruction Hearing in the case of State v. Jimmy Lee Duncan in Colleton County on October 25, 2013. Counsel filed the final brief of appellant in the Court of Appeals in the case of State v. Clarence W. Jenkins on October 21, 2013. Counsel filed the final brief of appellant in this Court in the case of State v. Tavario Dormell Brunson on October 17, 2013. Counsel filed the initial brief of appellant in the Court of Appeals

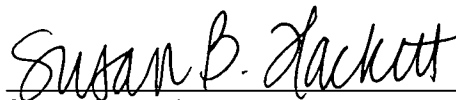
in the case of State v. Marvin Bowens Green on October 16, 2013. Counsel filed the initial reply brief in the Court of Appeals in the case of State v. Douglas Bishop on October 15, 2013. Counsel filed the final brief of appellant in the Court of Appeals in the case of State v. Jerod Swinton on October 9, 2013. Counsel argued in reply an Oral Argument in the Court of Appeals in the case of State v. Julia Gorman on October 9, 2013. Counsel argued in reply an Oral Argument in this Court in the case of State v. Desmond Sams on October 2, 2013. Counsel filed a motion for reconstruction in the Court of Appeals in the case of State v. Michael Hockaday on October 2, 2013. Counsel filed the final brief of appellant in the case of State v. Lamar D. Williams on October 1, 2013 in the Court of Appeals. Counsel filed the final brief of appellant in the case of State v. Jeffrey D. Thomas on October 1, 2013 in the Court of Appeals. On September 20, 2013, counsel attended a conference hosted by the South Carolina Commission on Indigent Defense entitled Gideon at 50 in Charleston, S.C. On September 23-25, 2013 counsel attended the 2013 Public Defender Conference in Myrtle Beach, S.C. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Darryl Drayton on September 19, 2013. Counsel filed a petition for rehearing in the case of State v Anthony T. McWilson in this Court on September 13, 2013. Counsel filed a petition for rehearing in the case of State v Thomas Smith in the Court of Appeals on September 12, 2013. Counsel filed the final brief of appellant in the case of State v Alexander L. Hunsberger in the Court of Appeals on September 10, 2013. Counsel filed a brief of appellant and record on appeal in the case of State v. Braquette Wykina Walton in the Court of Appeals on September 5, 2013. Counsel filed a reply brief in the case of State v Clarence Jenkins in the Court of Appeals on August 29, 2013. Counsel filed the Return to petition to writ of certiorari in the case of State v. Matthew Taylor in this Court on August 28, 2013. Counsel filed the brief of respondent in the case of Sandra Richardson v. State in the Court of Appeals on August 26, 2013. Counsel filed the petition for writ of certiorari and

accompanying appendix in the case of Tyrone Singletary v. State with this Court on August 23, 2013.

3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the return to the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,

Handwritten signature of Susan B. Hackett in cursive script.

Susan B. Hackett
Appellate Defender

October 23, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County

R. Markley Dennis, Jr., Circuit Court Judge

HORACE ABNEY, JR.,

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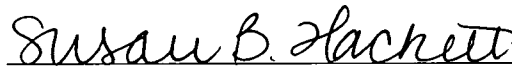
STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2013-000136

CERTIFICATE OF SERVICE

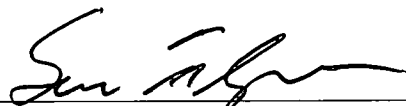
The undersigned attorney hereby certifies that a true copy of the petition for extension to file the return to the petition for writ of certiorari in the above referenced case has been served upon David Spencer, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 23rd day of October, 2013.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR RESPONDENT.

SUBSCRIBED AND SWORN TO before me
this 23rd day of October, 2013.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022 .