

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Williamsburg County
George C. James, Jr., Circuit Court Judge

RECEIVED

OCT 30 2013

S.C. Supreme Court

MICHAEL D. MCFADDEN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000121

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

Counsel for Michael D. McFadden 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 Michael D. McFadden respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

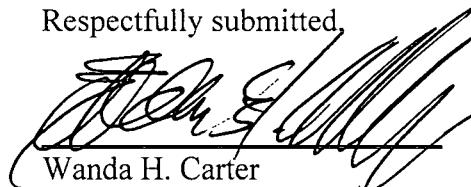
number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the initial brief of appellant in the case of State v. Ubaldo Garcia in the Court of Appeals on October 25, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Calderone Bracey v. State in this Court on October 23, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Wesley Boone v. State in this Court on September 30, 2013. On September 23-25, 2013 counsel attended the 2013 Public Defender Conference in Myrtle Beach, S.C. 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. 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Terrence Black v. State in this Court on September 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Odom v State in this Court on September 19, 2013. Counsel filed the Petition for writ of certiorari and accompanying appendix in the case of Reginald Barno v. State in this Court on September 16, 2013. Counsel filed the Petition for writ of certiorari and accompanying appendix in the case of Kevis Lavor Lee v. State in this Court on September 11, 2013. Counsel filed the brief of petitioner in the case of Steve Bagwell v. State in the Court of Appeals on September 6, 2013. Counsel filed the Petition for writ of certiorari and accompanying appendix in the case of Gerald L. Gantt v. State in this Court on September 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Patrick Spigner v. State in this Court on September 3, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Standford Brown v. State in this Court August 30, 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 'Wanda H. Carter', written over a horizontal line.

Wanda H. Carter
Deputy Chief Appellate Defender

Attorney for Petitioner

October 30, 2013

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Williamsburg County
George C. James, Jr., Circuit Court Judge

MICHAEL D. MCFADDEN,

PETITIONER,

V.

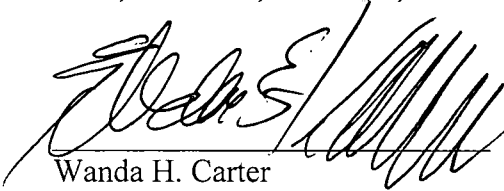
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000121

CERTIFICATE OF SERVICE

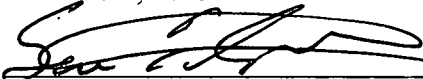
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Megan Harrigan, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 30th day of October, 2013.



Wanda H. Carter
Deputy Chief Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 30th day
of October, 2013.



(L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.