

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Marlboro County

Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

DEC - 5 2013

S.C. Supreme Court

CLARENCE KENDALL COOK,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000366

MOTION TO FILE EXTENSION
OUT OF TIME

The undersigned counsel requests the Court allow counsel the time to file the thirty day extension of the petition for writ of certiorari and accompanying appendix in this case out of time. In support of this motion counsel submits the following.

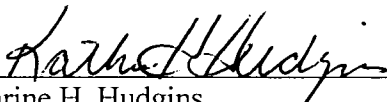
1. The petition for writ of certiorari and accompanying appendix was extended in the Supreme Court in the above-entitled case on October 22, 2013, making the petition for writ of certiorari and accompanying appendix due to be filed on November 21, 2013.

2. However, due to a calendar error on that day the petition for writ of certiorari and accompanying appendix were not extended. After receiving a phone call from this Court counsel

was informed that petition for writ of certiorari and accompanying appendix had not been extended and was due on November 21, 2013.

The undersigned counsel respectfully requests that the Court grant counsel's request to allow counsel to file a thirty day extension of the petition for writ of certiorari and accompanying appendix in the above entitled case out of time.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

December 5, 2013

I do not oppose:



Karen Ratigan, Esquire