

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Lexington County
William Jeffrey Young, Circuit Court Judge

RECEIVED

DEC - 9 2013

S.C. Supreme Court
PETITIONER,

ROGER DALE BURKE,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2013-001419

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a **final thirty day extension, until January 8, 2014**, in which to file the petition for writ-of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari in the case of Stephen Corley v. State of South Carolina with this Court on December 6, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Maurio Daetrel Rivers with the Court of Appeals on November 27, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shondray Lamont Martin v. State of South Carolina with

this Court on November 25, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Richard Beekman with this Court on November 22, 2013. Counsel filed the brief of petitioner in the case of The State v. Nathaniel Murray with this Court on November 20, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Pelzer v. State of South Carolina with this Court on November 18, 2013. Counsel filed the reply to the return to the petition for writ of certiorari to the Court of Appeals in the case of The State v. Derek S. Carter with this Court on November 12, 2013. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Tyre with this Court on November 8, 2013. Counsel filed the initial brief of appellant in the case of The State v. Fred Woodrow Cribb with the Court of Appeals on November 6, 2013. Counsel filed the initial reply brief of appellant in the case of The State v. Christopher Miller with the Court of Appeals on October 31, 2013. Counsel attended and participated in the CLE Seminar regarding the Presentation of Criminal Appeals to the Court of Appeals on October 24, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Orlando Shiver v. State of South Carolina with this Court on October 23, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Elizabeth M. Dinkins with the Court of Appeals on October 18, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Randy Elders v. State of South Carolina with this Court on October 16, 2013. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in the case of Heyward Davis v. State of South Carolina with this Court on October 14, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Heyward Davis v. State of South Carolina with this Court on October 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Conrad Slocumb with the Court of Appeals on October 11, 2013. Counsel filed the initial brief of appellant and

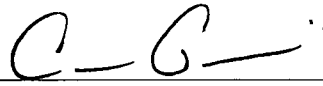
designation of matter in the case of The State v. Robert Livingston with the Court of Appeals on October 11, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Elenie Isham Parker v. State of South Carolina with this Court on October 9, 2013.

3. As indicated by his consent below, counsel for the state does not oppose this request.

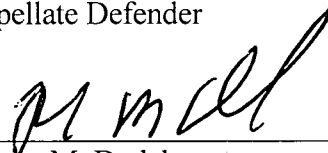
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until January 8, 2014**. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



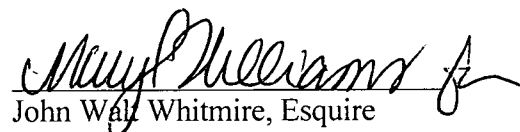
Carmen V. Ganjehsani
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 9th, 2013

I do not oppose:



John Wall Whitmire, Esquire