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S.C. Supreme Court

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to York County

John C. Hayes, III, Circuit Court Judge

DUVAL M. COOPER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2013-001428

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

Counsel for Duval Cooper respectfully requests a **final thirty (30) day extension, until January 13, 2014**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. Duval Cooper 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 Jonathan James v. The State of South Carolina with this Court on December 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Moultrie v. The State of South Carolina with this Court on December 9, 2013. Counsel had an oral argument in the case of State v. Donta Kevon Reid in this Court, on December 5, 2013. On Friday, November 22, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. James Bowers in this Court. On Wednesday, November 20, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bronson Shelley in the Court of Appeals. On Tuesday, November 19, 2013, counsel had an oral argument in this Court in the case of State v. Eric Dantzler. On Thursday, November 14, 2013, counsel filed the petition for rehearing in the cases of State v. Wesley Smith on the Court of Appeals. On Wednesday, November 13, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenny Jackson v. State in this Court. On Wednesday, November 13, 2013, counsel had an oral argument in the Court of Appeals in the case of State v. Ted Abney. And also on Wednesday, November 13, 2013, counsel had an oral argument in the Court of Appeals Court in the case of State v. Antrell Felder. On Tuesday, November 12, 2013, counsel had an oral argument in the Court of Appeals in the case of State v. Roderick Bradley. On Monday, November 4, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. James Carrier in the Court of Appeals. On Tuesday, November 3, 2013, counsel had an oral argument in the Court of Appeals in the case of State v. Ronald Black. On Thursday, October 31, 2013, counsel filed the petition for rehearing in the cases of State v.

Robert Jones in the Court of Appeals. On Monday, October 21, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. James Roscoe Scofield in the Court of Appeals. On Wednesday, October 16, 2013, counsel had an oral argument in this Court in the case of State v. Lawrence Burgess. On Wednesday, October 9, 2013, counsel filed petition for writ of certiorari and accompanying appendix in the case of Phillips Watts v. State in this Court, also on Wednesday October 9, 2013, Counsel filed the brief of appellant pursuant to White v. State in State v. Phillips Watts in the Court of Appeals.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

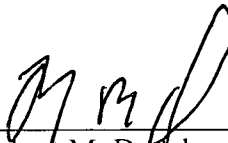
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until January 13, 2014**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

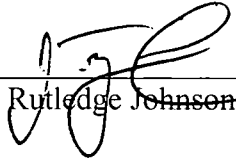
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 13th day of December, 2013.

I consent:



J. Rutledge Johnson, Esquire