

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**  
DEC 17 2013  
S.C. Supreme Court

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Certiorari to Richland County

R. Knox McMahon, Circuit Court Judge

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**RECEIVED**  
DEC 12 2013  
SC Court of Appeals

OCTAVIUS LIVINGSTON

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001221

\_\_\_\_\_  
**PETITION FOR EXTENSION TO FILE  
PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX**  
\_\_\_\_\_

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

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.

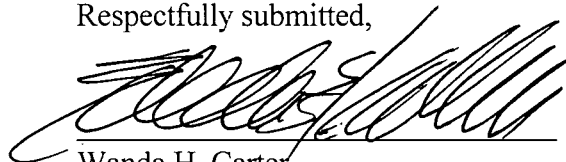
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ted Coit v. State in this Court on December 6, 2013. Counsel filed the initial brief of appellant in the case of State v. Brian E. Lorick, Jr. on December 2, 2013. Counsel filed the initial brief of appellant in the case of State v. Derrick A. McIlwain in the Court of Appeals on December 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gary L. Hayes v. State in this Court on November 20, 2013. Counsel filed the brief of petitioner in the case of Mark R. Bolte with the Court of Appeals on November 18, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Leon A. Goodman v. State of South Carolina with this Court on November 15, 2013. Counsel filed the petition for Rehearing in the case of The State v. Kerwin Parker with the Court of Appeals on November 14, 2013. Counsel filed the petition for writ of certiorari in the case of Thomas Brooks v. State in this Court on November 13, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Stacy Raysor v. State in this Court on November 12, 2013. Counsel argued in the case of Antonio Moore v. State in the Court of Appeals on November 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sherald Anderson v. State in this Court on November 6, 2013. Counsel argued in the case of Morris Antonio Sullivan v. State in Court of Appeals on November 5, 2013. Counsel filed the initial brief of appellant in the case of State v. Boris Phillips in the Court of Appeals on October 31, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joe L. Williams v. State in this Court on October 30, 2013. 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 Brace v. State in this Court on October 23, 2013.

3. This request is made in good faith, and not for purposes of delay.

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. Counsel requests that the time limits for filing the petition for writ of certiorari 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  
Appellate Defender

December 12, 2013

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Richland County  
R. Knox McMahon, Circuit Court Judge

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OCTAVIUS LIVINGSTON

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

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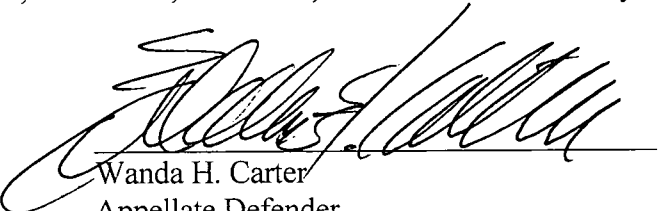
APPELLATE CASE NO. 2013-001221

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CERTIFICATE OF SERVICE

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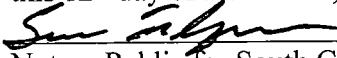
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Megan Harrigan, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 12<sup>th</sup> day of December, 2013.



Wanda H. Carter  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 12<sup>th</sup> day of December, 2013.

 (L.S.)  
Notary Public for South Carolina

My Commission Expires: October 30, 2022.