

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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DEC 27 2013

Certiorari to Aiken County

William Jeffrey Young, Circuit Court Judge

S.C. Supreme Court

JAMES PRATHER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2013-001053

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

The undersigned counsel would respectfully request a **final** thirty-day extension, until **January 27, 2014** 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 two prior orders of this Court.
2. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Jimmy Lee Duncan in the Court of Appeals on December 17, 2013.

Counsel attended a motion for reconsideration of sentence hearing in the case of State v. Luther Norris on December 5, 2013 in Kershaw County before the Honorable Clifton Newman. The Court of Appeals ordered Mr. Norris's case remanded for disposition of the pending motion. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Orlando Smith v. State in the Court of Appeals on November 27, 2013. Counsel filed the return to petition for writ of certiorari in the case of Horace Abney, Jr. v. State in this Court on November 25, 2013. Counsel filed brief of petitioner in the case of Michael Gonzales v. State on November 22, 2013 in the Court of Appeals. Counsel filed the petition for writ of certiorari in the case of State v. Bobby Alexander Gilbert in this Court on November 18, 2013. Counsel argued in the case of State v. Davontay Henson in this Court on November 6, 2013. Counsel argued in the case of State v. Tyrone Whatley in the Court of Appeals on November 5, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Devodus Rouse v. State in this Court on November 4, 2013. Counsel filed a petition for writ of certiorari and accompanying appendix in the case of Louis Gainey v. State in this Court on October 29, 2013.

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

4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** thirty-day extension, until **January 27, 2014** 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,

Susan B. Hackett

Susan B. Hackett
Appellate Defender

RM D

Robert M. Dudek
Chief Appellate Defender

December 27, 2013

I DO NOT OPPOSE:

Karen F. O'Neil for

Megan Harrigan