

ORIGINAL

STATE OF SOUTH CAROLINA,
IN THE SUPREME COURT

Certiorari to Newberry County

James W. Johnson, Jr., Circuit Court Judge

RECEIVED

JAN - 6 2014

S.C. Supreme Court

MILO E. TUDOR,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2013-001242

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

The undersigned counsel respectfully requests a **final thirty day extension, until February 5, 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. To date counsel has been unable to obtain a copy of the trial transcript. Counsel is in the process of determining if a trial transcript exists. If counsel determines, after consulting with the Attorney General's Office and reviewing files from the

archives of Appellate Defense, that a transcript was never prepared, counsel will ask to hold the case in abeyance and request a copy of the transcript from the court reporter.


2. On Friday, December 27, 2013, counsel filed the petition for writ of certiorari and accompanying appendix In the Interest of Justin B., a minor under the age of seventeen in the United States Supreme Court. On Thursday, December 19, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Gabriel Jon Rios. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jonathan James v. The State of South Carolina on December 9, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Antonio Moultrie v. State on December 9, 2013. Counsel had an oral argument in the case of State v. Donta Kevon Reid in the Supreme 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. On Wednesday, November 20, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Bronson Shelley. On Tuesday, November 19, 2013, counsel had an oral argument in the South Carolina Supreme 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 Wednesday, November 13, 2013, counsel filed Johnson petition for writ of certiorari and accompanying appendix in the case of Kenny Jackson v. State. On Wednesday, November 13, 2013, counsel had an oral argument in the South Carolina 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 South Carolina Court of Appeals in the case of State v. Antrell Felder. On Tuesday, November 12, 2013, counsel had an oral argument in the South Carolina 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. On Tuesday, November 3, 2013,

counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Ronald Black.

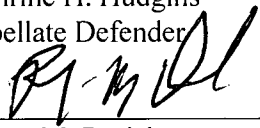
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until February 5, 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,



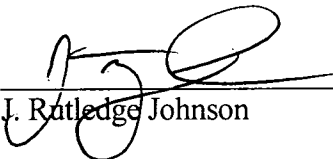
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 6, 2014

I do not oppose:



J. Rutledge Johnson