

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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JAN 13 2014

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. Supreme Court

G. Thomas Cooper, Circuit Court Judge

Case No. 2012-CP-40-01543
Appellate Case No. 2013-001287

Randy Thomas, Petitioner,
v.
State of South Carolina, Respondent.

MOTION FOR AN EXTENSION OF TIME TO FILE PETITION FOR A WRIT OF
CERTIORARI


Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Petitioner Randy Thomas (“Thomas”) moves this Court for an order granting an extension of time to file his Petition for a Writ of Certiorari in the above-captioned matter. Thomas respectfully requests a thirty (30) day extension to the time to file the Petition for a Writ of Certiorari. Although current counsel has not yet requested an extension of time, Petitioner’s prior appointed counsel was previously granted an extension to file this petition with the Court. The extension is necessitated due to numerous other case obligations and conflicting court deadlines on the part of undersigned counsel. Per Court Order, the Petition for a Writ of Certiorari is currently due to this Court on

January 16, 2014. With the thirty-day extension, Thomas' Petition for a Writ of Certiorari would be due on Saturday, February 15, 2014.¹

Wherefore, Thomas moves this Court for an extension until Tuesday, February 18, 2014, or until such later time as ordered by the Court. Thomas further requests that the current deadline be held in abeyance until resolution of this motion by the Court.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By:  _____

Matthew A. Abee
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Attorney for Randy Thomas.

Columbia, South Carolina
January 10, 2014

¹ Because the last day of the thirty-day period would be a Saturday, the next day "which is neither a Saturday, Sunday nor such holiday" would be Tuesday, February 18, 2014. See S.C. Code Ann. § 53-5-10 (1976) (establishing the third Monday of February as President's Day, a State holiday).

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Proof of Service

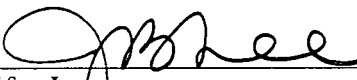
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Randy Thomas, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

Motion for an Extension of Time to File Petition for a Writ of Certiorari

Counsel Served:

Megan Harrigan, Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211



Jennifer Lee
Administrative Assistant

January 13, 2014

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January 13, 2014

Hand Delivered

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211

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S.C. Supreme Court

RE: Randy Thomas v. State of South Carolina
Appellate Case No.: 2013-001287
Our file no.: 38769/01510

Dear Mr. Shearouse:

Enclosed please find an original and seven copies of a Motion for an Extension of Time to File Petition For a Writ of Certiorari in the above-referenced matter. Please file the original and return a clocked-in copy to me via our courier. Should you have any questions, please do not hesitate to contact me.

By copy of this letter, I am hereby serving opposing counsel.

Very truly yours,



Matthew A. Abee

MAA:jlee
Enclosures

cc: Megan Harrigan