

**The Grose Law Firm, LLC**  
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.  
Phone: 864-538-4466 Fax: 864-538-4405  
E-mail: chasgrose@gmail.com  
Web: GroseLawFirm.com

February 10, 2014

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

Re: Frank Tolen v. State of South Carolina  
Appellate Case No. 2013-001199

Dear Mr. Shearouse:

Please take notice that I will be assisting Mr. Geoly in this appeal.

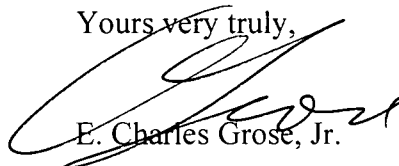
Enclosed please find the original and six copies of a petition for an extension of time to file a petition for writ of *certiorari*. This is the second extension request.

By copy of this letter to Ms. Wilson, I am notifying the State of this request.

Thank you for your attention to this matter.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: Stephen D. Geoly, Esquire (via email)  
Ashleigh Wilson, Esquire (via email and US Mail)

**RECEIVED**

FEB 18 2014

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Saluda County  
The Honorable R. Lawton McIntosh, Circuit Court Judge

Appellate Case Number: 2013-001199

---

FRANK TOLEN,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

---

**Petition for Extension of Time to File  
Petition for Writ of *Certiorari***

---

The petitioner, Frank Tolen, petitions this Court for an order extending the time to file his petition for writ of *certiorari*. This petition is the second extension request and is based on the following grounds:

1) Because of a conflict for the Division of Appellate Defense, this Court appointed Stephen D. Geoly to represent Mr. Tolen to file a his petition for writ of *certiorari*.

2) On January 10, 2014, Mr. Geoly requested this Court grant “a thirty day extension to apply for a writ of *certiorari*, so that [he] may associate counsel to assist [him] with this matter.” By order dated January 15, 2014, this Court granted that request.

3) Mr. Geoly has associated E. Charles Grose, Jr. to assist with this appeal.

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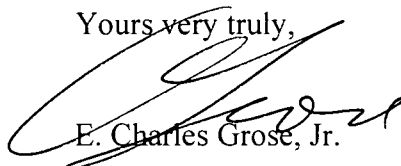
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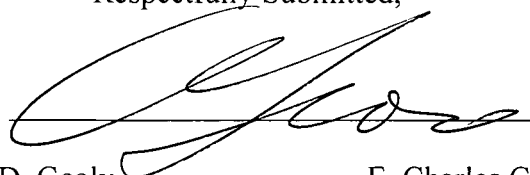
4) Because of his schedule, Mr. Grose requires additional time to review the record in this case. Mr. Grose prepared for a jury trial and selected a jury on January 27, 2014 in the Greenwood County case of *State v. Edward Dean*. Mr. Dean's case would have been tried but for court being cancelled because of the possibility of inclement weather. Mr. Grose also prepared for and argued the case of *State v. Anthony Nation* in this Court on February 5, 2014.

For the forgoing reasons, Mr. Tolen respectfully requests this Court issue an order extending the time to file his petition for writ of *certiorari*.

IT IS SO MOVED.

Respectfully Submitted,

By



Stephen D. Geoly  
Geoly Law Firm  
1225 S. Main Street  
Greenwood, SC 29646  
(864) 223-3352

E. Charles Grose, Jr.  
The Grose Law Firm, LLC  
404 Main Street  
Greenwood, SC 29646  
(864) 538-4466

**Counsel for the Petitioner**

February 10, 2014

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Saluda County  
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FRANK TOLEN,

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STATE OF SOUTH CAROLINA,

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**Certificate of Service**

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I certify that I have served the **Petition for Extension of Time to File Petition for Writ of *Certiorari*** on the State of South Carolina by placing a copy in the United States Mail, postage prepaid, on the date reflected below, addressed as follows:<sup>1</sup>

Ashleigh Wilson, Esquire  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211  
**Attorney for Respondent**

Respectfully Submitted,

By 

E. Charles Grose, Jr.  
The Grose Law Firm, LLC  
404 Main Street  
Greenwood, SC 29646  
(864) 538-4466

February 10, 2014  
Greenwood, South Carolina

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<sup>1</sup> This motion is being placed in the mail after 5:00 p.m. A copy is also being sent to Ms. Wilson by email on February 10, 2104.