

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal From Florence County
Honorable Ralph King Anderson, Jr. Circuit Court Judge

RECEIVED

JUL 12 2012

S.C. Supreme Court

THE STATE.

RESPONDENT,

vs.

TARUS T. HENRY, SR.,

PETITIONER.

**PETITION FOR EXTENSION OF TIME TO SERVE AND FILE THE RETURN
TO THE PETITION FOR WRIT OF CERTIORARI**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Return to the Petition for Writ of Certiorari are due to be filed and served, today, pursuant to two previous extensions granted by the Court.

II.

Due to an unusually heavy workload that includes completion of the initial brief of appellant for Richland County Sheriff v. Awde, brief of respondent for State v. Jeffrey Evans, return to petition for writ of certiorari for State v Reico Welch, preparation of several PCR cases heard in Aiken on Tuesday, and preparation of PCR orders from prior terms of court, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Return to the Petition for Writ of Certiorari.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

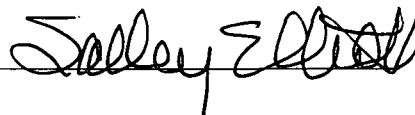
WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Return to the Petition for Writ of Certiorari in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

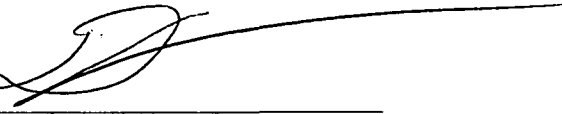
ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

BY: 

DAVID SPENCER
Assistant Deputy Attorney General

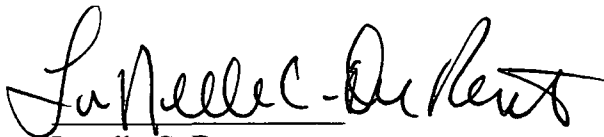
BY: 

David Spencer

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

July 12, 2012



Lanelle C. Durant
Attorney for Appellant

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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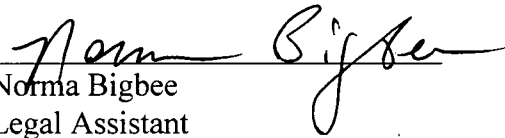
Petitioner.

PROOF OF SERVICE

I, Norma Bigbee certify that I have served the Petition for Extension of Time to Serve and File the Return to the Petition for Writ of Certiorari on appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, Lanelle C. Durant, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

I further certify that all parties required by Rule to be served have been served.

This 12th day of July, 2012.


Norma Bigbee
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

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S.C. Supreme Court

July 12, 2012

VIA HAND DELIVERY

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

RE: **State v. Tarus Tremaine Henry, Sr.**
2008-GS-21-1877

Dear Mr. Shearouse:

Enclosed please find the Original and six (6) copies of the Petition for Extension of Time in which to Serve and File the Return to the Petition for Writ of Certiorari in the above case.

Sincerely,

David Spencer
Assistant Deputy Attorney General

DS/nb

Enclosures

cc: Lanelle C. Durant, Esquire (2 copies)
Ms. Trisha Allen