

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. Supreme Court

Certiorari to Berkeley County
Deadra L. Jefferson, Circuit Court Judge

MICHAEL MAXWELL,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-002544

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF
CERTIORARI AND APPENDIX

Counsel for Michael Maxwell respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Michael Maxwell respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

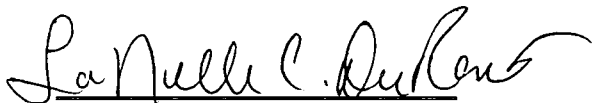
3. Counsel is filing today the initial brief of appellant and designation of matter in the case of The State v. Steve Young with the Court of Appeals. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mark Ellis Brown v. State of South Carolina with this Court on April 1, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael T. Quarles with the Court of Appeals on March 24, 2013. Counsel filed the petition for rehearing in the case of In the Matter of the Care and Treatment of Dusty A. Cyr with the Court of Appeals on March 21, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Adarius Q. Dennis v. State of South Carolina with this Court on March 20, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Shawn J. Burris with the Court of Appeals on March 13, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Chavis L. Cox v. State of South Carolina with this Court on March 4, 2014. Counsel filed the petition for rehearing in the case of The State v. Shawn Reaves with the Court of Appeals on February 26, 2014. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Oran Smith with this Court on February 19, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Devin Miller v. State of South Carolina with this Court on February 7, 2014. Counsel had an oral argument in the case of In the Matter of the Care and Treatment of Gilbert Gonzalez with this Court on February 4, 2014. Counsel filed the brief of appellant in the case of In the Matter of the Care and Treatment of Alphonso Haynesworth with the Court of Appeals on January 31, 2014. Counsel filed the petition for rehearing in the case of The State v. James A. Giles with this Court on January 30, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Willie Goodwin v. State of South Carolina with this Court on January 22, 2013.

Counsel filed the petition for writ of certiorari and accompanying appendix in the case of John Edward Burchfield v. State of South Carolina with this Court on January 15, 2014. Counsel had a PCR hearing in the case of The State v. Daniel Rogers in Darlington County on January 14, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix and initial brief of appellant pursuant to White v. State in the case of Darren A. Simmons v. The State with this Court on January 10, 2014. Counsel had an oral argument in the case of The State v. Shawn Reaves in the Court of Appeals on January 6, 2014.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

April 7th, 2014

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PETITIONER,

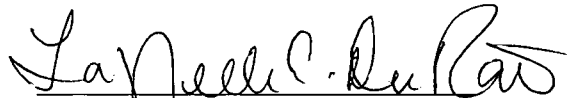
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE


I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ashleigh R. Wilson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 7th day of April, 2014.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 7th
day of April, 2014.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.