

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

MAY 12 2014

Certiorari Florence County
Benjamin H. Culbertson., Circuit Court Judge

S.C. Supreme Court

TRACY WILLARD DANIELS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-002572

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

Counsel for Tracy Willard Daniels 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 Tracy Willard Daniels 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.

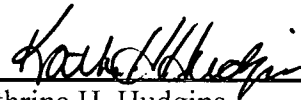
3. Counsel filed the Return to Respondent's Petition for Rehearing in the case of State v. Cesar Portillo with the Court of Appeals on Monday, May 05, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Aaron W. Collier v. State with this Court on Monday, April 28, 2014. Counsel filed the petition for rehearing in the case of State v. Cesar Portillo with the Court of Appeals on Thursday, April 24, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael McKnight v. State with this Court on Monday, April 21, 2014. Counsel filed the initial reply brief of appellant in the case of State v. Gabriel Jon Rios in the Court of Appeals on April 14, 2014. Counsel had an oral argument in the case of Walter Gaines v. State in the Court of Appeals on Monday, April 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gary Eugene Lott in the Court of Appeals on April 4, 2014. Counsel filed the initial reply brief of appellant in the case of State v. James Carrier in this Court on April 3, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis Montre Smith v. State in this Court on Tuesday, April 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Naticia Laurent v. State in this Court on March 24, 2014. Counsel filed the initial brief of appellant in the case of State v. Donald Peters in the Court of Appeals on Wednesday, March 18, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. James West in this Court on March 12, 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,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner

DATE: May 12, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Florence County
Benjamin H. Culbertson, Circuit Court Judge

TRACY WILLARD DANIELS,

PETITIONER,

V.

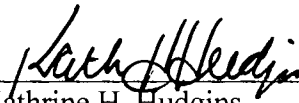
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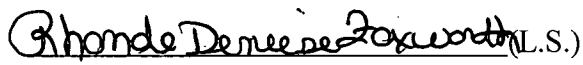
CERTIFICATE OF SERVICE

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 Joshua L. Thomas, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 12th day of May, 2014.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 12th day
of May, 2014.


Rhonda Deneese Foxworth (L.S.)
Notary Public for South Carolina
My Commission Expires: October 17, 2021