

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

MAY 21 2014

**S.C. Supreme Court**

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Certiorari to Greenville County  
Robin B. Stilwell, Circuit Court Judge

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JAMES ROBERT BYRD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-002348

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

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Counsel for James Byrd 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 James Byrd 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 petition for writ of certiorari and accompanying appendix in the case of Jose Luis G. Hernandez v. State of South Carolina with this Court on May 20, 2014. Counsel filed the petition for rehearing in the case of The State v. Alex Robinson with the Court of Appeals on May 8, 2014. Counsel filed the return to the petition for rehearing in the case of The State v. Matthew Ryan Hendricks with the Court of Appeals on May 8, 2014. Counsel filed the petition for rehearing in the case of The State v. Matthew Ryan Hendricks with the Court of Appeals on May 8, 2014. Counsel had an oral argument in the case of The State v. James C. Tyner in the Court of Appeals on May 7, 2014. Counsel filed the reply to the return to the petition for writ of certiorari in the case of Michael Anthony Allen v. State of South Carolina with this Court on May 6, 2014. Counsel filed the brief of appellant in the case of Donald C. Brevard v. State of South Carolina with the Court of Appeals on April 25, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shawn Williams v. State of South Carolina with this Court on April 21, 2014. Counsel filed the brief of appellant and designation of matter in the case of The State v. Vernon Jacob Livingston, Jr. with the Court of Appeals on April 16, 2014. Counsel had an oral argument in the case of The State v. Randy Crosby in the Court of Appeals on April 8, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donovan Murray v. State of South Carolina with this Court on April 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Ramey with the Court of Appeals on April 4, 2014. Counsel filed the petition for writ of certiorari in the case of Billy S. Tucker v. State of South Carolina with the Court of Appeals on March 28, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Lambert v. State of South Carolina with this Court on March 24, 2014. Counsel filed the brief of petitioner in the case of The State v.

Rushan Counts with this Court on March 20, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrell N. Mitchell v. State of South Carolina with this Court on March 20, 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,



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Carmen V. Ganjehsani  
Appellate Defender

Attorney for Petitioner

May 21<sup>st</sup>, 2104

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CERTIFICATE OF SERVICE

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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 Karen Ratigan, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 21<sup>st</sup> day of May, 2014.



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Carmen V. Ganjehsani  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 21<sup>st</sup> day  
of May, 2014.

Harris Munder (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023.