

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM GREENVILLE COUNTY  
COMMON PLEAS COURT  
H. Garrison Hill, Circuit Court Judge

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Appellate Case No. 2013-CP-23-002652

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Marlon Rivera, ..... Petitioner,  
v.  
State of South Carolina, ..... Respondent.

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MOTION TO RESET THE TIME

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Petitioner moves this Court to reset the time and allow thirty days from the date of the Court's Order for service and filing of the Petition and Appendix in this case.

Counsel was appointed by Order of this Court to represent the Petitioner based on a conflict of the Office of Indigent Defense. OID mailed the transcripts to counsel on April 30, 2014. The transcripts appear to have been received on or about May 2, 2014 while counsel was traveling. By oversight the receipt of the transcripts was not entered nor was the corresponding deadline calendared. The Court's inquiry to counsel revealed the oversight. As a result the Petitioner requests that the time be reset to allow briefing of the case.

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State of South Carolina, ..... Respondent.

PROOF OF SERVICE

I certify that I have served the Respondent with the Petitioner's Motion to Reset the Time depositing a copy in the United States Mail, postage prepaid, on June 5, addressed to counsel of record as follows:

Karen Ratigan  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211

  
J. Falkner Wilkes, 12893  
114 Whitsett Street  
Greenville, SC 29601  
(864) 282-1292  
(864) 271-6035 facsimile  
*Counsel for Petitioner*

**RECEIVED**

June 5, 2014.

JUN 09 2014

S.C. SUPREME COURT

Petitioner's case is based on a murder conviction and has a substantial record with numerous issues that will require research. Additional time is required to further the interests of justice and to allow the Petitioner's claims to be addressed on their merits.

Wherefore, the Petitioner moves to have the time reset.



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J. Falkner Wilkes, 12893  
114 Whitsett Street  
Greenville, SC 29601  
(864) 282-1292  
(864) 271-6035 *facsimile*

*Counsel for Petitioner*

June 5, 2014.

**J. FALKNER WILKES**

*Attorney at Law*

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June 5, 2014

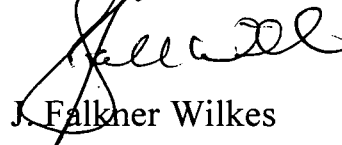
Daniel E. Shearouse, Clerk  
South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

Re: Marlon Rivera v. State of South Carolina  
Appellate Case No.: 2013-002652

Dear Mr. Shearouse,

Enclosed please find the original and six copies of the Petitioner's Motion to Reset the Time along with a Certificate of Service.

Sincerely,



J. Falkner Wilkes

Karen Ratigan  
Office of the Attorney General  
P.O. Box 11549  
Columbia, SC 29211  
Attorney for Respondent

**RECEIVED**

JUN 09 2014

**S.C. SUPREME COURT**