

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County

William H. Seals, Jr., Circuit Court Judge

RECEIVED

JUL - 9 2014

S.C. Supreme Court

DONTE L. CAPERS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000097

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

Counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari 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 is due to be served and filed with the Court today.
2. Counsel 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 his caseload, counsel hopes that no further extension requests will be required.

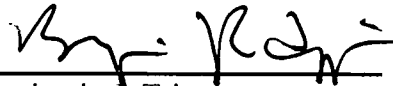
3. Today, counsel will file a brief of appellant and record on appeal in State v. Robert Jenkins with the Court of Appeals. On July 2, 2014, counsel filed a petition for writ of certiorari to the Court of Appeals in State v. Ricky S. Bowman with this Court. On June 30, 2014, counsel filed a brief of appellant and record on appeal in State v. Daniel Owens with the Court of Appeals. On June 27, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Donnell McFadden v. State with this Court. On June 13, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in George Jackson v. State with this Court. On June 11, 2014, counsel held an oral argument in State v. Shawn Antonio Miller before this Court. On June 5, 2014, counsel filed a brief of appellant and record on appeal in State v. Lavern Anderson with the Court of Appeals. On June 2, 2014, counsel filed a brief of appellant in State v. Jabbarie Brown with the Court of Appeals. On May 28, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Tony Moore. v. State with this Court. On May 22, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Tony Moore v. State with this Court. On May 20, 2014, counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Antonio Scott with this Court. On April 24, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Roy Johnson, Jr. v. State with this Court.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 in this case based upon the above exigent circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Benjamin J. Tripp", written over a horizontal line.

Benjamin J. Tripp
Appellate Defender

Attorney for Petitioner

July 9, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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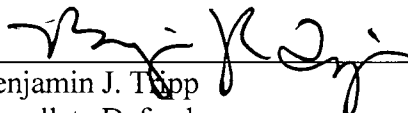
V.

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 Joshua L. Thomas, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 9th day of July, 2014.


Benjamin J. Tipp
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 9th day
of July, 2014

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.