

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
J. Derham Cole, Circuit Court Judge

RECEIVED

SEP 10 2014

S.C. Supreme Court

XAVIER PERRY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000653

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

Counsel for Xavier Perry 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 Xavier Perry 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 had an oral argument in the case of State v. James Harris in the Court of Appeals on Tuesday, September 9, 2014. Counsel filed the filed the initial brief of appellant and designation of matter in the case of State v. Martin Floyd with the Court of Appeals on Friday, September 5, 2014. Counsel filed the brief of petitioner in the case of State v. Richard Beekman with this Court on September 4, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shannon McGee v. State with this Court on September 4, 2014. Counsel filed the petition for rehearing the in the case of State v. Randy Crosby with the Court of Appeals on September 4, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Orlando Hill v. State with this Court on August 28, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Dennis Penny with the Court of Appeals, yesterday, August 27, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dytavis Hinton v. State in this Court on August 21, 2014 Counsel filed the initial brief of appellant and designation of matter in the case of State v. Kenneth Bell with the Court of Appeals on August 11, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Wilson v. State in this Court on August 7, 2014. Counsel filed the initial reply brief in the case of State v. Dan Temple in the Court of Appeals on Thursday, August 7, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jovan Mitchell in the Court of Appeals on August 1, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joshua Paris v. State in this Court on Monday, July 28, 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,



Carmen V. Ganjehsani
Appellate Defender

Attorney for Petitioner

September 10, 2014

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IN THE SUPREME COURT

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XAVIER PERRY,

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STATE OF SOUTH CAROLINA,

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CERTIFICATE OF SERVICE

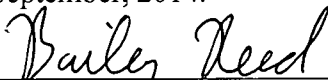
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Suzanne H. White, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 10th day of September, 2014.



Carmen V. Ganjehsani
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 10th day
of September, 2014.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 24, 2021.