

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County

R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

JUL 30 2012

S.C. Supreme Court

SHAUN DAVID CAPLINGER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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

Counsel for Shaun David Caplinger respectfully requests a **final thirty (30) day extension, until August 29, 2012**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Shaun David Caplinger 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 is filing the petition for writ of certiorari in the case of Joseph Heyward v. State with this Court today, July 30, 2012. On July 25, 2012, counsel filed the petitions for writ of certiorari to the Court of Appeals in State v. Kevin Epting and State v. Joel Robinson with this Court and the initial brief of appellant and designation of matter in State v. David Jakes in the Court of Appeals. On July 18, 2012, counsel filed the petition for writ of certiorari in State v. Clarence Bamberg in this Court. On July 16, 2012, counsel filed the initial brief of appellate and designation of matter on State v. David N. Rhoad in the Court of Appeals, the petition for writ of certiorari and accompanying appendix on Michael D. Day v. State in this Court, and brief of appellant in State v. Michael Milledge in the Court of Appeals. On July 13, 2012, Counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Andre Maurice Massey and State v. Jake Antonio Wilson in this court. On July 11, 2012, Counsel filed the initial brief of appellant and designation of matter in the case of State v. Reggie Pinkney in the Court of Appeals. On July 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Danny Lee Thomas in the Court of Appeals. On July 5, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Johnnie Simmons with the Court of Appeals. On June 28, 2012, counsel filed the petition for writ of certiorari to the Court of Appeals in State v. James Robert Nash with this Court. On June 21, 2012, counsel filed the petition for rehearing in State v. Bennie Golston with the Court of Appeals. On June 19, 2012, counsel had an oral argument in the case of State v. Christopher Whitehead before the Court of Appeals. On June 13, 2012, counsel filed the brief of petitioner and appendix in the case

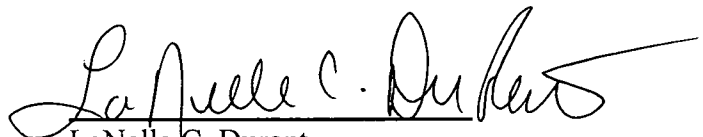
of State v. Theodore Wills and the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Thomas Simmons.

4. Counsel makes this request in good faith and not for purpose of delay.

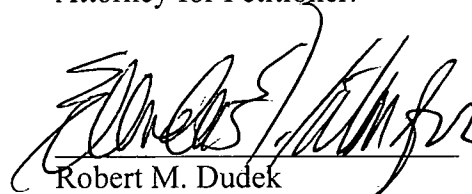
5. Counsel for the Attorney General's office consents to this request as shown by signature below.

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,

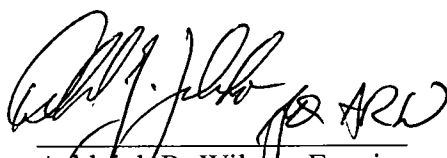

LaNelle C. Durant
Appellate Defender

Attorney for Petitioner.


Robert M. Dudek
Chief Appellate Defender

This 30th day of July, 2012.

I consent:


Ashleigh R. Wilson, Esquire