

STATE OF SOUTH CAROLINA
IN THE *Appellate* COURT

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SEP 17 2014

Certiorari To York County
The Honorable John C. Hayes, III., Circuit Court Judge

SC Court of Appeals

DARRELL EFIRD,

PETITIONER, PRO SE

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

MOTION FOR EXTENSION OF TIME

The Petitioner, Darrell Efird, presents that as of *September 11, 2014* he completed his pro se Petition For Writ of Certiorari, Supplemental Appendix, and Certificate of Service associated therewith.

This Court, by Order dated January 12, 2012, granted the Petitioner leave to proceed pro se in this matter while directing that the South Carolina Commission On Indigent Defense, Division of Appellate Defense would remain associated with the Petitioner for the limited purpose of copying, binding, filing and serving by mail the completed pro se materials submitted to them by the Petitioner.

Whereas, the Petitioner submits that he will mail to the Division of Appellate Defense his completed materials on *Sep. 11, 2014*, for copying, binding, filing and serving of same.

The Petitioner does not know how long it will take the Division of Appellate Defense to complete the task of copying, binding, filing and serving the documents submitted them for that purpose. And so, being prudent, the Petitioner submits this Motion for Extension Of Time, up to and through *Sep. 18*, 2014.

However, should the Division of Appellate Defense complete the task of copying and binding, and are subsequently prepared to file and serve the documents prior to the *Sep. 18*, 201. extension deadline, then such should be filed and served as soon as possible after copying and binding.

Therefore, the Petitioner, for the foregoing reasons and conditions respectfully moves this Honorable Court to grant this Motion For Extension Of Time.

Submitted this 11th day of *September*, 2014

Darrell Efird, #322883

Darrell Efird, 322883
Petitioner pro se

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IN THE *Appellate* COURT

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Certiorari To York County
The Honorable John C. Hayes, III., Circuit Court Judge

DARRELL EFIRD,

PETITIONER pro se

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

MOTION TO RELAX RULE 227(d)(3), SCACR

The Petitioner, Darrell Efird, who is acting pro se, comes with this Motion requesting that this Honorable Supreme Court of South Carolina relax the page limitation specified for petitions for writ of certiorari as set forth by Rule 227(d)(3), SCACR (twenty-five (25) pages).

The Petitioner submits that his pro se Petition For Writ Of Certiorari exceeds the limitations of Rule 227(d)(3), SCACR by nine (9) pages. The Petitioner further explains that due to conditions of prison confinement he is unable to edit his Petition and reformat it to comply with a rigid application of Rule 227(d)(3), in any timely manner by which to meet his current deadline of Sep. 18, 2014. For instance, it literally takes at least two (2) weeks to acquire typewriter ribbons.

Wherefore, the Petitioner respectfully Moves this Honorable Court to relax the page limitations specified by Rule 227(d)(3), SCACR and permit the Petitioner's pro se Petition to be filed and served -and- reviewed by this Honorable Court despite its page length exceeding the limits by nine (9) pages.

Respectfully submitted on this 11th day of September, 2014

Darrell Efird, #322883
Darrell Efird, SCDC #322883
Petitioner pro se

STATE OF SOUTH CAROLINA
IN THE Appellate COURT

Certiorari To York County
The Honorable John C. Hayes, III., Circuit Court Judge

DARRELL EFIRD,

PETITIONER pro se

V.

STATE OF SOUTH CAROLINA,

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SC Court of Appeals

CERTIFICATE OF SERVICE

I, Darrell Efird, certify that I have served the Respondent, through Counsel for the Respondent, with a true and complete copy of Petitioner's "Motion For Extension Of Time," and "Motion To Relax Rule 227(d)(3), SCACR." The Petitioner has also provided a copy of the "Motion For Extension Of Time" to the Division Of Appellate Defense as that Motion has a direct connection with that Agency as they are associated with the Petitioner in the matter relative to timely filing and serving documents.

The Petitioner deposits the above materials in the U.S. mail, postage prepaid and addressed as follows:

Jennifer A. Kinzeler, Esquire
S.C. Office of the Att. General
P.O. Box 11549
Columbia, S.C. 29211-1549

Elizabeth A. Franklin-Best, Esquire
S.C. Division of Appellate Defense
P.O. Box 11589
Columbia, S.C. 29211-1589

Deposited in the mail on this 11th day of September, 2014

Darrell Efird, #322883

Darrell Efird, SCDC #322883
Petitioner pro se

The South Carolina Court of Appeals
Darrell Efird, Petitioner pro se,
V.

State of South Carolina, Respondent
Appellate Case No. 2010 - 178866

Petitioner's

Motion Requesting Permission to file
Brief of Petitioner Out-of-Time.

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SC Court of Appeals

The Petitioner Darrell Efird, #322883, Respectfully request
this Honorable Court's permission to file his Brief of
Petitioner Out-Of-Time for the following reasons:

- 1.) Petitioner is pro se in this cause of action.
- 2.) Petitioner was served with an order from this Court on or
about July 28, 2014 notifying him that Certiorari was
granted on two (2) issues.
- 3.) Petitioner only has access to the Perry Law Library a
total of (5) hours a week.
- 4.) Perry Law Library is not up to date with the adequate
case law to effectively prepare brief.
- 5.) On August 4, 11, 25, of 2014 the Perry Law Library was
closed due to lack of Security, Petitioner was not given
any additional time with his court deadline to use the
Law Library.

- 6.) Petitioner no longer has access to a typewriter.
- 7.) Petitioner does not have the funds to make large amounts of copies.

Therefore Petitioner request to be granted a "Motion for Extension of Time," to allow The Division of Appellate Defense to copie, bound if necessary in the numbers requied by Appellate Court Rule 243(j).

Petitioner request that his Motions and Brief be construed liberally (citing Haines v. Kerner, 92 S. Ct. 594.).

For the foregoing reasons, Petitioner respectfully request this Honorable Court's permission to file a out-of-time Brief of Petitioner by September 18, 2014.

Petitioner received a copy of the Notice on September 8, 2014 although the letter is dated September 5, 2014.

I, Darrell Efird # 322883, Certify and verify under the penalty of perjury that the foregoing is true and correct.
28 U.S.C.A. §1746

South Carolina Court of Appeals

Jenny Abbott Kitchings, Clerk

P.O. Box 11629

Columbia, SC 29211

x Darrell Efird # 322883

Darrell Efird # 322883

Petitioner pro se

Copy: Jennifer A. Kizeler, Esquire
Elizabeth A Franklin-Best, Esquire
My Records

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SEP 17 2014

SC Court of Appeals

Darrell Efird, #322883
Perry C.I., Q1B118
430 Oaklawn Road
Pelzer, S.C. 29669

September 11, 2014

To: Ms. Elizabeth A Franklin-Best, Esquire
S.C. Commission on Indigent Defense,
Division of Appellate Defense
P.O. Box 11589
Columbia, S.C. 29211-1589

Re: Enclosed Petition For Writ Of Certiorari and Supplemental Appendix
for copying, binding, filing and serving.
Efird, Darrell V. State

Dear Ms. Franklin-Best:

Enclosed you should find my completed pro se Petition For Writ Of
Certiorari and Supplemental Appendix.

Per the directive issued by the Supreme Court of South Carolina dated
January 12, 2012, the Division of Appellate Defense is to remain associated
with me for the limited purpose of copying, binding if necessary, filing and
serving the pro se Petition and related documents that I provide your Agency
Division.

Therefore, please receive the enclosed documents and have them copied,
bound if necessary in the numbers required by Appellate Court Rule 243(j) and
once completed, please provide the Supreme Court of South Carolina with the
require number of copies for filing and please also provide the Office of the
Attorney General (Ms. Jennifer A. Kinzeler) with the number of copies required
by Rule to complete the process of service in the matter.

I thank you most sincerely for your time and effort in my behalf in
this and the other matters to which you have been involved. Further, as an
important afterthought, please also provide me a copy of the materials you
file and serve in my behalf.

Very gratefully presented and requested,

Darrell Efird, #322883
Darrell Efird, #322883
Petitioner pro se

copy: Appellate Court of South Carolina
My records

Darrell Efird, #322883
Perry C.I., C B-11
430 Oaklawn Road
Pelzer, S.C. 29666

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SC Court of Appeals

To: The Honorable Jenny Abbott Kitchings, Esquire
Clerk of Court for the
South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

Re: Enclosed Documents for Filing
Efird, Darrell V. State - "Motion For Extension Of Time"
"Motion To Relax Rule 227(d)(3), SCACR"
"Brief of Petitioner Out-of-Time"

Date: September 11, 2014

Dear Ms. Kitchings:

Enclosed please find my pro se Motion For Extension Of Time and Motion To Relax Rule 227(d)(3), SCACR.

My Petition For Writ of Certiorari is due to be filed and served on Sep. 18, 2014. On Sep. 11, 2014 I will be mailing my completed pro se Petition and Supplemental Appendix to the Division of Appellate Defense for copying, binding filing and serving. Subsequently I do not know how long it will take the office of Appellate Defense to complete their associated task of copying, binding, and filing/serving the completed copies. Thus my Motion For Extension Of Time.

Please file the enclosed documents on my behalf and know that I am sincerely grateful for your time and assistance.

Very respectfully submitted and requested,

Darrell Efird #322883
Darrell Efird, #322883
Petitioner pro se

r, S.C. 29669

To: South Carolina Court of Appeals
Jenny Abbott Kitchings
Clerk of Court
P.O. Box 11629
Columbia, S.C. 29211

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SEP 11 2014

P.C.I. MAILROOM

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SEP 11 2014

SC Court of Appeals