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SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
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August 1, 2012

**RECEIVED**

AUG 01 2012

**S.C. Supreme Court**

Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: James Craig White v. State of South Carolina  
Appellate Case No. 2010-170069  
Alexander S. Macaulay, Circuit Court Judge  
Opinion No. 2012-UP-267 (S.C. Ct. App. filed 5/2/2012)

Dear Mr. Shearouse:

The petition for writ of certiorari and appendix in the above-referenced case were due to be served and filed on July 20, 2012. Due to a calendaring error, a petition for extension of time to file the petition for writ of certiorari and appendix was not filed. Counsel respectfully moves to allow the petition for extension of time to be filed out of time. Because of present workload, Counsel respectfully requests a thirty-day extension out of time. No prior extensions have been requested in this case.

By copy of this letter, I am informing Mark R. Farthing, Esquire, of the Office of the Attorney General, of this extension request.

Thanking you for your cooperation and assistance in this matter.

Sincerely,

*Kathleen Hackett for*

Susan B. Hackett  
Appellate Defender

SBH/eab

cc: Court of Appeals  
Mark R. Farthing

COA# 2010-170069

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Lexington County

Alexander S. Macaulay, Circuit Court Judge

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**S.C. Supreme Court**

Opinion No. 2012-UP-267 (S.C. Ct. App. filed 5/2/2012)

10-GS-32-01711, 01712, 01723, 01714

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THE STATE,

RESPONDENT,

V.

JAMES CRAIG WHITE,

PETITIONER

Appellate Case No. 2010-170069

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**MOTION TO FILE THE PETITION FOR EXTENSION OF TIME TO  
FILE THE PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX OUT OF TIME**

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Counsel for James Craig White petitions the Court to allow late filing of the petition for extension in which to file the petition for writ of certiorari and accompanying appendix in this case. In support of this petition she shows:

1. The Unpublished Opinion in this case was filed on May 2, 2012. Counsel filed the petition for rehearing on May 16, 2012. The order denying the petition for rehearing was filed on June 20, 2012, but was inadvertently miscalendared. The petition for


writ of certiorari was due to be filed on July 20, 2012, however, due to the calendar error the petition in which to file the petition for writ of certiorari was not filed.

2. Counsel has prepared and is filing the petition for extension in which to file the petition for writ of certiorari and accompanying appendix simultaneously with this motion.

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

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

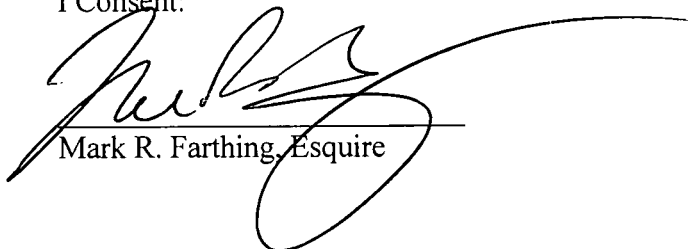
WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to relax Rule 263(b), SCACR, and allow leave in which to file the petition for extension in which to file the petition for writ of certiorari and accompanying appendix in this case out of time based upon the above exigent circumstances.

  
Susan B. Hackett  
Appellate Defender

ATTORNEY FOR PETITIONER

August 1, 2012

I Consent:

  
Mark R. Farthing, Esquire