

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County

Clifton Newman, Circuit Court Judge

RECEIVED

OCT 20 2014

S.C. Supreme Court

PETITIONER,

VICTOR A. WHITE,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX

The undersigned counsel respectfully requests a one-time and final ten (10) day extension, **until October 29, 2014**, pursuant to this Court's order of July 16, 2014 in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

2. The good cause is counsel is working on and will be filing the initial brief of appellant and designation of matter in the case of Timothy D. Dingle v. The State (murder case) with the Court of Appeals on Wednesday, October 22, 2014. Counsel is also working on and will be filing the initial brief of appellant and designation of matter in the case of The State v. Demetriss Glenn with the Court of Appeals on October 22, 2014. Counsel is working on and will be filing the

petition for writ of certiorari and accompanying appendix in the case of Tawanda Allen v. The State with this Court on October 29, 2014. Counsel is also working on the death penalty case of The State v. Ricky Lee Blackwell.

3. Counsel filed the petition for rehearing in the case of The State v Jason A. Bauman with the Court of Appeals on October 16, 2014. Counsel had an oral argument in the case of The State v. Christopher Heller before this Court today, October 7, 2014. Counsel filed the final brief of petitioner in the case of Michael D. Hall v. State of South Carolina (Supreme Court) with co-counsel, Susan B. Hackett and David Alexander, with this Court on October 6, 2014. Counsel had an oral argument in the case of The State v. Antonio Miller before the Court of Appeals on October 6, 2014. Counsel filed the petition for rehearing in the case of The State v. Michael Anthony Rogers in the Court of Appeals on October 2, 2014. Counsel also went to death row at Lieber Correctional Institution on October 1, 2014 to meet with John Edward Weik. Counsel filed the petition for rehearing with co-counsel, Susan Hackett, in the case of Richard Bernard Moore v. State of South Carolina with this Court on September 26, 2014. Counsel prepared for and presented his Case Law Update power-point presentation for the 2014 Annual Public Defender Conference held September 22-24, 2014 in Myrtle Beach, South Carolina. Counsel filed the petition for rehearing in the case of State of South Carolina v. Christina Reece with the Court of Appeals on September 12, 2014. Counsel had an oral argument in the case of State v. Bobbie McCann before the Court of Appeals on September 12, 2014. Counsel also had an oral argument in the case of State v. Jason Bauman before the Court of Appeals on September 10, 2014. Counsel also had an oral argument in the case of State v. Derell Green which he assisted Appellate Defender Lara Caudy in preparing to argue for him before the Court of Appeals on September 8, 2014. Counsel also filed the reply to return to petition for writ of certiorari with co-counsel, Reid T. Sherard in the case of State v. Jamaal Hinson with this Court on September 8, 2014. Counsel also filed the brief of petitioner with co-counsel, David

Alexander, in the case of State v. Darren Gerome Scott with this Court on September 4, 2014. Counsel also filed the petition for rehearing in the case of The State v. Anthony K. Blakney with the Court of Appeals on September 4, 2014. Counsel also filed the initial brief of appellant and designation of matter in the case of The State v. Andrew Antonio Clemons with the Court of Appeals on September 4, 2014. Counsel also filed the record on appeal in the case of Michael D. Hall v. State of South Carolina which was granted, and expedited in the original jurisdiction of the Supreme Court, with this Court on August 27, 2014. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Mark Stanley Peters with this Court on August 25, 2014. Counsel also filed the initial brief of respondent in the case of State v. Calvin Pompey with the Court of Appeals on August 22, 2014. Counsel also filed the initial brief of respondent and designation of matter in the case of State v. Shannon Scott with this Court on August 21, 2014. Counsel also filed the petition for rehearing in the case of State v. Victor A. White with the Court of Appeals on August 21, 2014. Counsel also filed the petition for rehearing in the case of State v. Jefferson Perry with the Court of Appeals on August 21, 2014. Counsel also filed the initial reply brief of appellant in the case of State v. William Pou with the Court of Appeals on August 20, 2014.

4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first -- and obviously will adjust to the new extension order --- so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Opposing counsel for the Attorney General's office, Donald J. Zelenka, kindly consents or does not oppose this request as shown by signature below.

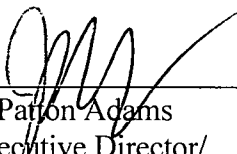
WHEREFORE, for the above-mentioned reasons, and **as a showing of good cause**, the undersigned counsel would respectfully request a one-time and final ten-day extension, **until October 29, 2014**, in which to serve and file the petition for writ of certiorari and accompanying

appendix. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



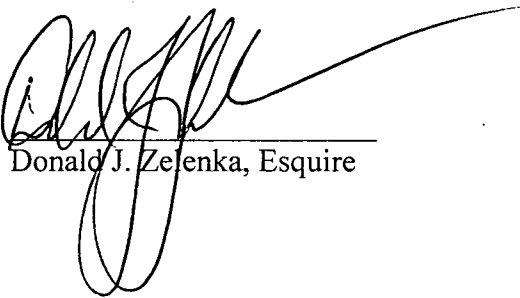
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

This 20th day of October, 2014.

I consent:



Donald J. Zejenka, Esquire

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County

Clifton Newman, Circuit Court Judge

VICTOR A. WHITE,

PETITIONER,

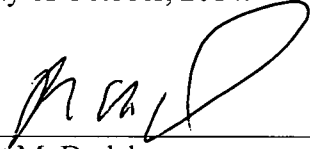
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 20th day of October, 2014.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 20th day of October, 2014.

Chonda Demise Foxworth (L.S.)
Notary Public for South Carolina
My Commission Expires: October 17, 2021