

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Edward G. Welmaker, Circuit Court Judge

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S.C. Supreme Court

OCTAVIUS WHITMIRE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000934

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

Counsel for Octavius Whitmire 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 Octavius Whitmire 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.

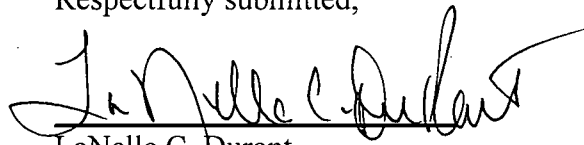
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Alfonzo Alexander with the Court of Appeals on November 4, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Noel Michael Lyles v. State of South Carolina with this Court on October 30, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ramon Atienzo-Perez v. State of South Carolina with this Court on September 30, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jimmy D. Meggs v. State of South Carolina with this Court on September 29, 2014. Counsel had an oral argument in the case of The State v. Kevin Shane Epting in this Court on September 25, 2014. Counsel attended and participated in the 2014 Annual Public Defender on September 22, 23, and 24, 2014. Counsel filed the brief of appellant in the case of The State v. Michael Anthony Glover with the Court of Appeals on September 19, 2014. Counsel filed the brief of petitioner in the case of The State v. Oran Smith with this Court on September 18, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Cullen Blake Campbell v. State of South Carolina with this Court on September 17, 2014. Counsel filed the brief of petitioner in the case of The State v. Shawn Reaves with this Court on September 16, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kent R. Clayton v. State of South Carolina with this Court on September 15, 2014. Counsel had an oral argument in the case of The State v. Keeon Butler with the Court of Appeals on September 11, 2014. Counsel had an oral argument in the case of The State v. Donna Lynn Phillips in the Court of Appeals on September 10, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jason Turmon v. State of South Carolina with this Court on September 10, 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,

A handwritten signature in black ink, appearing to read "LaNelle C. Durant", written over a horizontal line.

LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

November 5th, 2014

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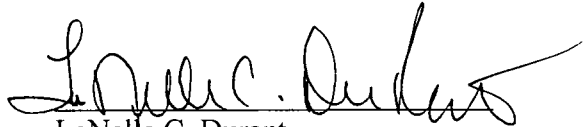
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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 Karen Ratigan, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 5th day of November, 2014.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 5th day
of November, 2014.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.