

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Horry County

J. Cordell Maddox, Jr., Circuit Court Judge

RECEIVED

JAN 02 2015

S.C. Supreme Court

LUTHER GARNER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-001312

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

Counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari 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 is due to be served and filed with the Court today.

2. Counsel 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.

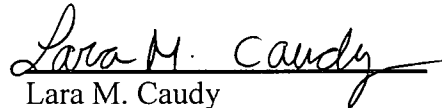
3. On December 22, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in State v. Rodney A. Simmons with this Court. On December 18, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Sammie Gerrick with the Court of Appeals. On December 17, 2014, counsel filed a Motion to Remand to Reconstruct Court's Exhibit in State v. Barry Eugene Lafavor with the Court of Appeals. On December 9, 2014, counsel held an oral argument in State v. Tiphani Marie Parkhurst with the Court of Appeals. On December 8, 2014, counsel held an oral argument in Michael A. Hough v. State with the Court of Appeals. On December 3, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Ryan P. Deleston with the Court of Appeals. On November 20, counsel filed a petition for writ of certiorari and accompanying appendix in Phillip Jackson v. State with this Court. On November 12, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Raymond Bradley McCarter v. State with this Court. On November 7, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Michael T. Sanders v. State with this Court. On November 5, 2014, counsel filed a brief of appellant and record on appeal in The Matter of the Care and Treatment of Andrew Goodwin with the Court of Appeals. On November 3, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Lavadre Butler v. State with this Court.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 in this case based upon the above exigent circumstances.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lara M. Caudy". The signature is written in black ink and has a horizontal line extending to the right from the end of the name.

Lara M. Caudy
Appellate Defender

Attorney for Petitioner

January 2, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County
J. Cordell Maddox, Jr., Circuit Court Judge

LUTHER GARNER,

PETITIONER,

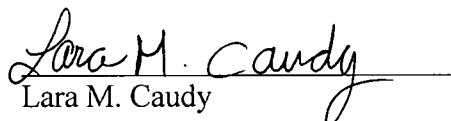
V.

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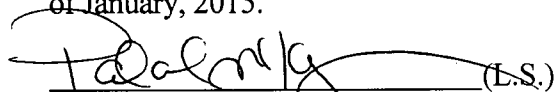
CERTIFICATE OF SERVICE

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 Joshua L. Thomas, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 2nd day of January, 2015.


Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 2nd day
of January, 2015.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 24, 2022.