

RECEIVED

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Abbeville County
Thomas L. Hughston, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

v.

DWAYNE EDDIE STARKS,

PETITIONER.

RECEIVED
JAN - 8 2015
S.C. Supreme Court

APPELLATE CASE NO. 2014-5276

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

The undersigned counsel respectfully requests a one-time ten (10) day extension, **until January 22, 2015**, 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 Sunday, January 12, 2015. The Court of Appeals' Order denying Appellant's Motion for Rehearing was issued December 12, 201~~4~~⁴.

2. The good cause is Pro Bono Appellate Project Counsel, John Robinson, is currently set for two temporary hearings on Wednesday, January 7, 2015, a temporary hearing on Thursday, January 8, 2015, and a final hearing on January 9, 2015, all in the Charleston County Family Court. Additionally, co-counsel, Robert Dudek, of the Office of Appellate Defense, who is consulting on

Petitioner's proposed writ of certiorari, is presently engaged in preparing a brief in a death penalty case.

4. This request is made in good faith, and not for purposes of delay, and in careful consideration of this Court's Order of July 16, 2014.

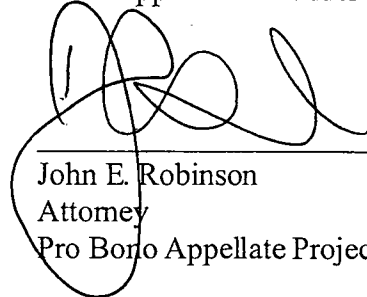
5. Opposing counsel for the Attorney General's office, Christina Bigelow, kindly consents or does not oppose this request.

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 January 22, 2015**, 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



John E. Robinson
Attorney
Pro Bono Appellate Project

This 8th day of January, 2015.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Abbeville County

Thomas L. Hughston, Jr., Circuit Court Judge

DWAYNE EDDIE STARKS,

PETITIONER,

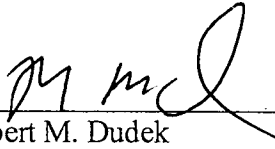
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

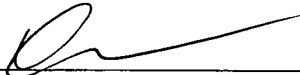
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Christina Bigelow, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 8th day of January, 2015.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 8th day of January, 2015.



(L.S.)
Notary Public for South Carolina
My Commission Expires: August 21, 2023