

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

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

RECEIVED

FEB 02 2015

LUTHER GARNER,

S.C. Supreme Court
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 AND APPENDIX

Counsel respectfully requests a **final extension of thirty (30) days until March 4, 2015**, 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 third 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. Today, counsel will file a petition for writ of certiorari and accompanying appendix in Terrance Terry v. State with this Court. On January 27, 2015, counsel filed a petition for rehearing in State v. Brad Alan Day with the Court of Appeals. On January 26, 2015, counsel travelled to Beaufort to attend a remand hearing in State v. Terrance Seabrook. On January 22, 2015, counsel filed a petition for rehearing in State v. Damon T. Brown with the Court of Appeals. On January 21, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Darrell Burgess v. State with this Court. On January 14, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Eugene Rhinehart v. State with this Court. On January 9, 2015, counsel filed a brief of petitioner in Yesenia Ramirez v. State with this Court. On January 9, 2015, counsel filed a brief of petitioner in Barry Allen Evans v. State with this Court. On January 6, 2015, counsel held an oral argument in State v. Denorris Hall with the Court of Appeals. On January 5, 2015, counsel held an oral argument in State v. Phillip Monroe before the Court of Appeals. On December 22, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Rodney A. Simmons v. State 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

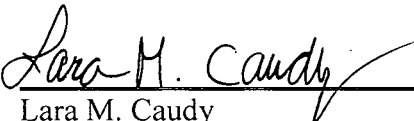
November 3, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Lavadre Butler v. State with this Court.

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.

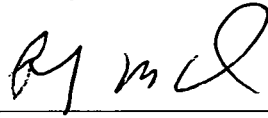
5. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until March 4, 2015**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Lara M. Caudy
Appellate Defender

Attorney for Petitioner


Robert M. Dudek
Chief Appellate Defender

This 2nd day of February, 2015

I Consent:


Joshua L. Thomas