

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to the Court of Appeals
Appeal from Richland County
Honorable G. Thomas Cooper, Jr., Circuit Court Judge

The State,

Respondent,

vs.

Theodore Manning,

Petitioner.
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**MOTION OUT OF TIME
FOR EXTENSION TO SERVE AND FILE
PETITION FOR WRIT OF CERTIORARI** S.C. Supreme Court

Respondent, through its undersigned counsel, would respectfully show as follows:

I.

The Petition for Writ of Certiorari was due to be served and filed February 3, 2015.

II.

The undersigned has been out of the office for several weeks as a result of medical issues. The undersigned is currently undergoing tests in an attempt to find a diagnosis, which has been elusive. Unfortunately, the undersigned failed to properly calendar and complete the Petition for Writ of Certiorari in the above case and asks this Court's permission to serve and file a first extension request out of time

III.

This request is not intended for purposes of delay. Based on the extraordinary circumstances presented by the undersigned's medical conditions and significant amount

of time out of the office, the undersigned requests a 5-day extension of time within which to serve and file the Petition for Writ of Certiorari.

WHEREFORE, Respondent asks the Court hold this matter in abeyance until ruling on this motion, accept this Motion for an extension out of time; grant a 5-day extension of time within which to file the Petition for Writ of Certiorari; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

February 4, 2015

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion Out of Time for an Extension to Serve and File Petition for Writ of Certiorari on Petitioner by depositing a copy of same in the United States mail, postage prepaid, addressed to:

E. Fielding Pringle, Chief Public Defender
Richland County Public Defender's Office
1701 Main Street
Columbia, South Carolina 29201

Luke A. Shealey, Esquire
The Shealey Law Firm, LLC
2008 Lincoln Street
Columbia, SC 29201

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S.C. Supreme Court

I further certify that all parties required by Rule to be served have been served.

This 4th day of February, 2015.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

February 4, 2015

HAND-DELIVERY

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

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S.C. Supreme Court

Re: The State v. Theodore Manning

Dear Mr. Shearouse:

Enclosed please find the original and six (6) copies of a Motion Out of Time for an Extension to Serve and File Petition for Writ of Certiorari along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: E. Fielding Pringle, Esquire
Luke A. Shealey, Esquire
Victim Services