

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Certiorari to Calhoun County
Maite Murphy, Circuit Court Judge

JAN 22 2015

S.C. Supreme Court

PHILLIP SPEARS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-002096

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

The undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

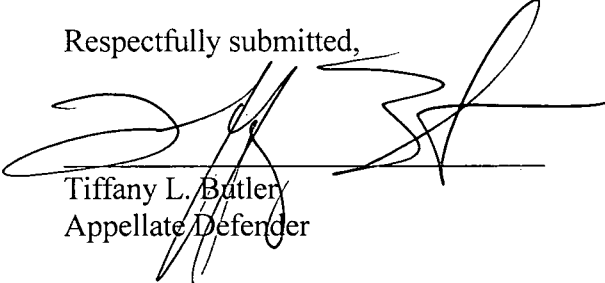
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. **Counsel started working with the South Carolina Commission on Indigent Defense Division of Appellate Defense on September 25, 2014.** Counsel filed the brief of appellant and record on appeal in the case of State v. Clifton D. Cooke in the Court of Appeals on January 13, 2015. Counsel filed the brief of appellant and record on appeal in the case of State v. Claudius Adrian Williams in the Court of Appeals on

January 7, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Todd F. Smith v. State in the Supreme Court on December 31, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alphonso Simmons v. State in the Supreme Court on December 12, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jaleel Page v. State in the Supreme Court on December 8, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Tonya Mcalhaney in the Court of Appeals on December 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Randy Howze in the Court of Appeals on November 25, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Pernell Byas in the Court of Appeals on November 14, 2014. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George T. Middleton v. State with the Supreme Court on October 15, 2014.

2. This request is made in good faith, and not for purposes of delay.

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. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Tiffany L. Butler
Appellate Defender

January 22, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Calhoun County
Maite Murphy, Circuit Court Judge

PHILLIP SPEARS,

PETITIONER,

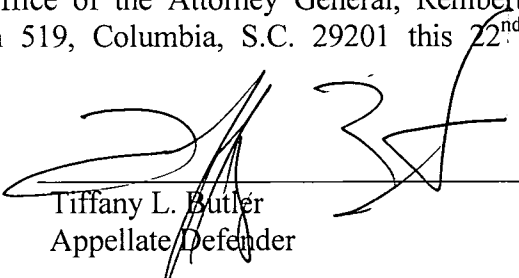
V.

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 Clay Mitchell, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 22nd day of January, 2015.


Tiffany L. Butler
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
This 22nd day of January, 2015

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.