

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Colleton County

James R. Barber, III, Circuit Court Judge

RECEIVED

MAR - 2 2015

S.C. Supreme Court

MELVIN DANIEL,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2014-000922

PETITION FOR EXTENSION TO FILE THE
RETURN TO THE PETITION FOR WRIT OF CERTIORARI

The undersigned counsel respectfully requests a **final thirty day extension, until April 2, 2015**, in which to file the return to the petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The return to the petition for writ of certiorari in this case is due to be served and filed today.
2. Counsel will be traveling to and testifying at a hearing in the case of State v. Christopher Stephen Stanko on Tuesday, March 3, 2015. Counsel is working on and will be presenting a power-point presentation at the SCACDL Criminal Defense Seminar on March 6, 2015. Counsel is working on and will be filing the United States certiorari petition in the case of

Richard Moore v. State of South Carolina on March 23, 2015. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight. Counsel also has been training three new appellate defenders to include reading their briefs and certiorari petitions prior to their filing.** Counsel unexpectedly had to file (with co-counsel, David Alexander) a petition for extraordinary relief in the case of Marion Alexander Lindsey v. State of South Carolina (death penalty case) with this Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Victor Weldon with this Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Antonio Miller with this Court on February 25, 2015. Counsel filed the petition for rehearing in the case of Michael A. Hough v. The State of South Carolina with the Court of Appeals on February 25, 2015. Counsel filed the merits initial brief of appellant and designation of matter in the case of The State v. Ricky Eugene Passmore with the Court of Appeals on February 20, 2015. Counsel filed the brief of respondent in the case of James Clayton Helms v. State of South Carolina with the Court of Appeals on February 13, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ronald Lee Legg with the Court of Appeals on February 10, 2015. Counsel filed the return to motion to seal or strike in the case of State of South Carolina v. Ricky Lee Blackwell with this Court on February 9, 2015. Counsel filed the initial brief of appellant (3 issues) and designation of matter in the case of State v. Christina Reece with the Court of Appeals on February 6, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Scott Cross with the Court of Appeals on February 4, 2015. Counsel had an oral argument in the case of The State v. Keith Letmon before the Court of Appeals on February 3, 2015. Counsel filed the initial brief of appellant and

designation of matter in the case of The State v. Shedrix Steward with the Court of Appeals on January 30, 2015. Counsel filed the petition for rehearing in the case of The State v. Albert Brandeberry with the Court of Appeals on January 29, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Paul Leslie Cox v. State of South Carolina with this Court on January 28, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Jason A. Bauman with this Court on January 26, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Penn with the Court of Appeals on January 23, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Turuk Saunders v. State of South Carolina with this Court on January 21, 2015. Counsel filed the reply to brief in opposition to petition for writ of certiorari filed by the Attorney General's Office on December 31, 2014 in the death penalty case of Bayan Aleksey v. State of South Carolina with the United States Supreme Court on January 15, 2015. Counsel filed the brief of appellant pursuant to White v. State in the case of John William Dixon v. State of South Carolina with this Court on January 13, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix and supplemental appendix in the case of John William Dixon v. State of South Carolina with this Court on January 13, 2015. Counsel filed the initial brief of appellant and designation of matter (7 issues and 111 pages) in the death penalty case of The State v. Ricky Lee Blackwell with this Court on January 8, 2015.

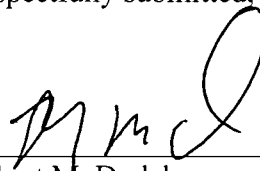
3. As indicated by her consent below, counsel for the state does not oppose this request.

4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will

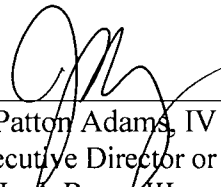
hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until April 2, 2015**, in which to file the return to the petition for writ of certiorari. Counsel respectfully requests that the time limits for filing the return to the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



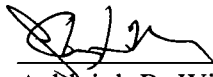
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

March 2, 2015

I do not oppose:



for Ashleigh R. Wilson, Esquire