

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County

Markley R. Dennis, Jr., Circuit Court Judge

ORIGINAL

RECEIVED

JUN - 5 2015

S.C. Supreme Court

CALVIN TYLER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000254.

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE
PETITION FOR WRIT OF CERTIORARI

Counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second 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 his caseload, counsel hopes that no further extension requests will be required.

3. On June 3, 2015, counsel held an oral argument in The State v. Antonio Scott before the Supreme Court. On May 27, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Cornelius K. Davis with the Court of Appeals. On May 20, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Annie Jackson with the Court of Appeals. On May 19, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Carlos D. Reeder with the Court of Appeals. On May 13, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Travaughn Thomas v. State with the Supreme Court. On May 12, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Terry Douglas Campbell v. State with the Supreme Court. On May 6, 2015, counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Jabarrie Brown with the Supreme Court. On May 6, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Robert T. Artis v. State with the Supreme Court. On April 28, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Evandor Keath Thompson with the Court of Appeals. On April 28, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Tevin Hart with the Court of Appeals.

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 has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension in which to file the petition for writ of certiorari in this case based upon the above exigent circumstances.

Respectfully submitted,

Benjamin J. Tripp
by Paul Alexander
Benjamin J. Tripp
Appellate Defender *w/permission*

Attorney for Petitioner

June 5, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Charleston County
Markley R. Dennis, Jr., Circuit Court Judge

CALVIN TYLER,

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 J. Rutledge Johnson, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 5th day of June, 2015.

Benjamin J. Tripp
by David Alexander w/
Benjamin J. Tripp
Appellate Defender *perm. 5569*

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 5th day
of June, 2015.

u m (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2025.