

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Deadra L. Jefferson, Circuit Court Judge

 ORIGINAL

RECEIVED

AUG 17 2015

S.C. Supreme Court

JAMES R. EUBANKS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000784

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.

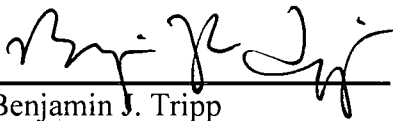
3. On August 12, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Randy Blythe, Jr. v. State with the Supreme Court. On July 29, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Travis F. Hipp v. State with the Supreme Court. On July 17, 2015, counsel filed the brief of petitioner in John Forest Ham v. State with the Supreme Court. On July 15, 2015, counsel filed the brief of petitioner in Eddie J. Pilcher v. State with the Supreme Court. On July 14, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Carius Kenton Lomax v. State with the Supreme Court. On June 30, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Calvin Tyler v. State with the Supreme Court. On June 25, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Juan Carlos Vasquez v. State with the Supreme Court. On June 17, 2015 counsel filed the initial brief of appellant and designation of matter in State v. OBryan E. Copeland with the Court of Appeals. On June 16, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Eddie C Golson v. State with the Supreme Court. On June 16, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Eddie Dean Dogan v. State with the Supreme Court. On June 3, 2015, counsel held an oral argument in The State v. Antonio Scott before the Supreme 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 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,

A handwritten signature in black ink, appearing to read "Benjamin J. Tripp", written over a horizontal line.

Benjamin J. Tripp
Appellate Defender

Attorney for Petitioner

August 17th, 2015

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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 Suzanne H. White, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of August, 2015.


Benjamin J. Tripp
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 17th day of
August, 2015.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: May 12th 2025.