

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Cherokee County
Deadra L. Jefferson, Circuit Court Judge

RECEIVED

SEP 14 2015

S.C. Supreme Court

JAMES RAY BYERS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001077

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

Counsel for James Ray Byers respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and appendix 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 are due to be served and filed with the Court today.
2. Counsel for James Ray Byers 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 her caseload, counsel hopes that no further extension requests will be required.

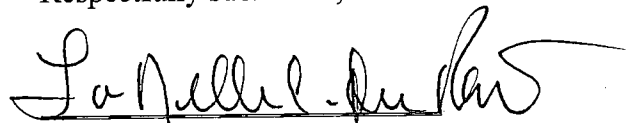
3. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. David Rosier in the Supreme Court on September 10, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Shawn Burris in the Supreme Court on September 4, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Johnny Jerome Boyd with the Court of Appeals on September 1, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Steve Young in the Supreme Court on August 31, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Daniel Griffin in the Supreme Court on August 31, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Corey William Brown with the Court of Appeals on August 26, 2015. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Willie James Poole v. State of South Carolina with the Supreme Court on August 17, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Antonio Williams with the Court of Appeals on August 11, 2015. Counsel filed the petition for rehearing in the case of The State v. Christopher Broadnax with the Supreme Court on August 6, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Wendall Wilkins with the Court of Appeals on August 5, 2015. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Rodney Alexander Nash v. State of South Carolina with the Supreme Court on July 28, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Billy Alford with the Court of Appeals on July 23, 2015. Counsel filed the petition for rehearing

in the case of The State v. Steve Young with the Court of Appeals on July 23, 2015. Counsel filed the petition for rehearing in the case of The State v. Shawn J. Burris with the Court of Appeals on July 16, 2015.

4. Counsel makes this request in good faith and not for purpose of delay.
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 and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

September 14, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Cherokee County
Deadra L. Jefferson, Circuit Court Judge

JAMES RAY BYERS,

PETITIONER,

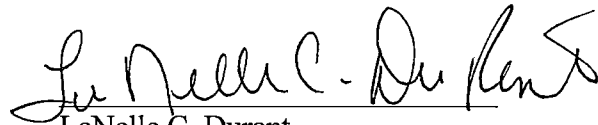
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

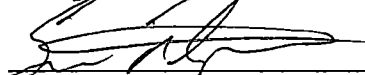
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Karen Ratigan, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 14th day of September, 2015.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 14th day
of September, 2015.



(L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.