

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County
Angela R. Taylor, Family Court Judge

RECEIVED

SEP 17 2015

S.C. Supreme Court

MARK ALLEN ELLIOT,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000949

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 September 11, 2015 counsel filed the petition for rehearing in State v. Sarah D. Cardwell with the Court of Appeals. On September 8, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Darrell Williams v. State with the Supreme Court. On September 3, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Humberto Alanso Garcia v. State with the Supreme Court. On August 31, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Michael F. Smith v. State with the Supreme Court. On August 26, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Kendrick Littlejohn v. State with the Supreme Court. On August 26, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Kendrick Littlejohn v. State with the Supreme Court. On August 21, 2015 counsel filed the brief of appellant in State v. John William Dobbins with the Court of Appeals. On August 19, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in James R. Eubanks v. State with the Supreme Court. 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.

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
Appellate Defender

Attorney for Petitioner

September 17, 2015

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County

Angela R. Taylor, Family Court Judge

MARK ALLEN ELLIOT,

PETITIONER,

V.

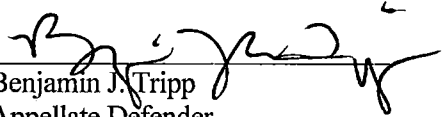
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000949

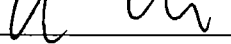
CERTIFICATE OF SERVICE

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 Joshua L. Thomas, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of September, 2015.


Benjamin J. Tripp
Appellate Defender

ATTORNEY FOR PETITIONER

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


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