

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

OCT 15 2015

S.C. Supreme Court

Certiorari to Clarendon County

J. Cordell Maddox, Jr., Circuit Court Judge

BILLY LIENBY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-000886

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 her caseload, counsel hopes that no further extension requests will be required.

3. On October 14, 2015, counsel filed the brief of appellant and designation of matter in State v. Ricky L. Hayes with the Court of Appeals. On October 13, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Keith Desue v. State with this Court. On October 12, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Harold Watts v. State with this Court. On October 2, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Levon D. Black v. State with this Court. On October 1, 2015, counsel filed the brief of appellant and designation of matter in State v. Carnail Marchindla Graham with the Court of Appeals. On September 21-23, 2015, counsel attended the Public Defender Conference in Myrtle Beach. On September 18, 2015, counsel filed a petition for rehearing in State v. Tiphani Marie Parkhurst with the Court of Appeals. On September 15, 2015, counsel held an oral argument in State v. Don Survi Chisolm before the Court of Appeals. On September 8, 2015, counsel held an oral argument in State v. Frankie Lee Bryant before the Court of Appeals. On August 25, 2015, counsel filed the brief of appellant and record on appeal in State v. David Dover with the Court of Appeals. On August 19, 2015, counsel filed the initial brief of appellant and designation of matter In the matter of the care and treatment of Carl M. Asquith with the Court of Appeals. On August 13, 2015, counsel filed a petition for rehearing in State v. Stepheno Jermain Alston with the Court of Appeals. On August 10, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in Joseph J. Magni v. State with this Court. On August 10, 2015, counsel filed the brief of appellant and record on appeal in State v. Otis Robinson with the Court of Appeals. On July 29, 2015, counsel filed the initial brief of appellant and

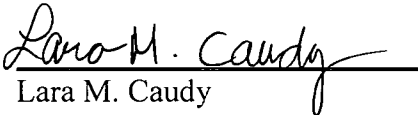
designation of matter in State v. Wayland Purnell with the Court of Appeals. On July 29, 2015, counsel also filed the brief of petitioner in Luther Garner v. State with this Court.

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.

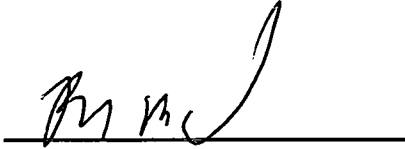
5. Counsel for the Attorney General's office has been informed of this request.

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,


Lara M. Caudy
Appellate Defender

Attorney for Petitioner


Robert M. Dudek
Chief Appellate Defender

October 15, 2015

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Clarendon County
J. Cordell Maddox, Jr., Circuit Court Judge

BILLY LIENBY,

PETITIONER,

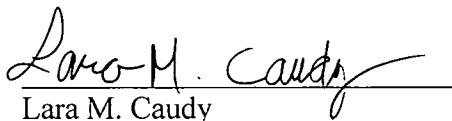
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

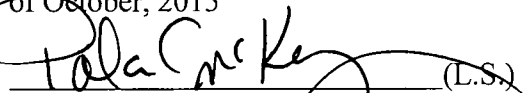
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Daniel Gourley, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 15th day of October, 2015.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 15th day
of October, 2015

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.