

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

 ORIGINAL

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OCT 19 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 AND APPENDIX

Counsel respectfully requests a **final extension of ten (10) days until October 29, 2015**, 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 third 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.

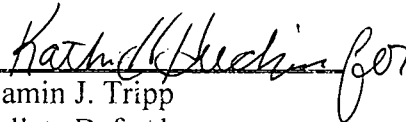
3. On October 12, 2015 counsel filed the petition for rehearing in State v. Joe Roseboro with the Court of Appeals. On October 12, 2015 counsel filed the petition for rehearing in State v. Michael D. Camp with the Court of Appeals. On October 7, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Marlin Hutley v. State with the Supreme Court. On September 30, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Stanley Wrapp with the Court of Appeals. On September 18, 2015 counsel filed the petition for rehearing in State v. Antonio Scott with the Court of Appeals. On September 17, 2015 counsel filed the initial brief of appellant and designation of matter in State v. Don Ray Gibson with the Court of Appeals. 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.

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 consents to this request as shown by signature below.

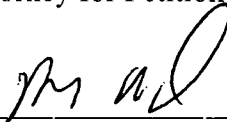
WHEREFORE, the undersigned counsel would respectfully request a **final ten (10) day extension until October 29, 2015**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Benjamin J. Tripp
Appellate Defender


Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 19th day of October, 2015

I Consent:



Jessica Kinard, Esquire