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S.C. Supreme Court

IN THE SUPREME COURT

Appeal from Berkeley County

Eugene C. Griffith, Jr., Circuit Court Judge

TOMMIE WEATHERS, JR.,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001636

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

Counsel respectfully requests a thirty day extension **until December 23, 2015** 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.

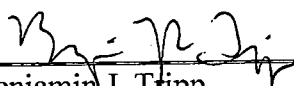
3. On November 18, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Dametrioise Moss v. State with the Supreme Court. On November 13, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Randall Price v. State with the Supreme Court. On November 12, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in James Daniel Mayberry v. State with the Supreme Court. On October 29, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Mark Allen Elliot v. State with the Supreme Court. 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.

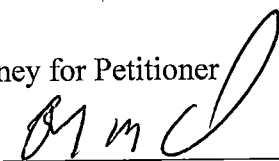
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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,

  
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Benjamin J. Tripp  
Appellate Defender

Attorney for Petitioner  
  
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Robert M. Dudek  
Chief Appellate Defender

November 23, 2015

IN THE SUPREME COURT

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Appeal from Berkeley County

Eugene C. Griffith, Jr., Circuit Court Judge

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TOMMIE WEATHERS, JR.,

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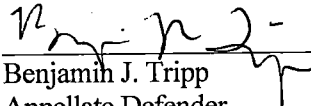
APPELLATE CASE NO. 2015-001636

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CERTIFICATE OF SERVICE

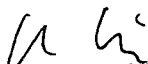
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I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ruteledge Johnson, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 23<sup>rd</sup> day of November, 2015.

  
\_\_\_\_\_  
Benjamin J. Tripp  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 23<sup>rd</sup>  
day of November, 2015.

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