

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**ORIGINAL**

\_\_\_\_\_  
Certiorari to Barnwell County  
Doyet A. Early, III, Circuit Court Judge

**RECEIVED**

DEC - 7 2015

TUNZY A. SANDERS,

**S.C. Supreme Court**  
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-001970

\_\_\_\_\_  
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 fourteen (14) days until December 21, 2015**, in which to file the petition for writ of certiorari and appendix in this case. In support of this motion, Counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and the accompanying appendix is due to be served and filed with the Court today. The Court has granted three previous extensions.
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 will not require any further extensions.**

3. Prior to the petition for writ of certiorari and appendix becoming due under the most recent extension, **Counsel filed a Motion to Hold Appeal in Abeyance and to Remand for a New Evidentiary Hearing Based on After Discovered Evidence on July 24, 2015. This Motion required significant investigation and research by Counsel.** The State filed a Return on August 4, 2015. Counsel filed a Reply to the State's Return on August 14, 2015. The Motion was denied on November 8, 2015.

4. Counsel participated in oral arguments before the Court of Appeals on December 7, 2015 in the case of State v. James Clyde Dill. Pursuant to an Order of the Supreme Court Counsel was appointed to and did file the Explanation of Appeal Pursuant to Rule 203(d)(1)(B), SCACR in the case of The State v. Favian Hayes with the Court of Appeals on December 2, 2015. Counsel filed the initial reply brief in the case of Jarvis Gibbs v. State of South Carolina in the Supreme Court on November 30, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Beatson v. State of South Carolina in the Supreme Court on November 30, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Lance L. Miles with the Court of Appeals on November 18, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Addie Thilavanh v. State of South Carolina in the Supreme Court on November 13, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Timothy Farris v. State of South Carolina in the Supreme Court on October 27, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Matthew Gunter with the Court of Appeals on October 26, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Walter Alley v. State of South Carolina in the Supreme Court on October 13, 2015. Counsel filed the petition for writ of certiorari and

accompanying appendix in the case of Jarrold Keykendall Harris v. State of South Carolina in the Supreme Court on October 13, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donald Roberts v. State of South Carolina in the Court of Appeals on October 12, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jo Pradubsri with the Court of Appeals on October 12, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Joseph Paugh v. State of South Carolina in the Supreme Court on October 7, 2015.

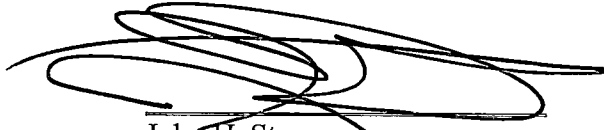
5. Counsel makes this request in good faith and not for purpose of delay. **Counsel has never before requested a fourth extension in a petition for writ of certiorari and, given the unique circumstances of this case, does not anticipate doing so again.** Counsel intends to continue to work on the cases 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.

6. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **fourteen (14) day extension until December 21, 2015**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

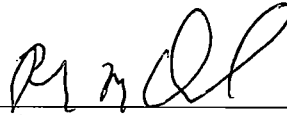
*[Signature Page Follows]*

Respectfully submitted,



John H. Strom  
Appellate Defender

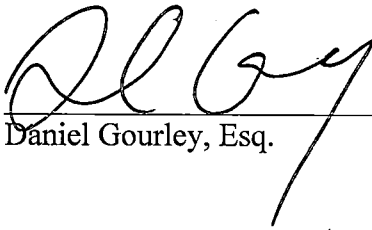
Attorney for Petitioner



Robert M. Dudek  
Chief Appellate Defender

This 7<sup>th</sup> day of December, 2015

I Consent:



Daniel Gourley, Esq.