

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Greenville County

Eugene C. Griffith, Jr., Circuit Court Judge

SETH A. STEARNS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001681

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

Counsel respectfully requests a thirty day extension **until March 4, 2016**, 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 January 27, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Teron Jackson v. State with the Supreme Court. On January 25, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Makandi Terry v. State with the Supreme Court. On January 14, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Antoine F. Chestnut v. State with the Supreme Court. On January 12, 2016 counsel filed the initial brief of appellant and designation of matter in State v. Leon Lilly with the Court of Appeals. On January 8, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in David Roy Lynch v. State with the Supreme Court. On December 18, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in Michael Tim Gray v. State with the Supreme Court. On December 15, 2015 counsel filed a brief of petitioner and accompanying appendix in State v. Travaughn Thomas with the Supreme Court. On December 8, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Sarah D. Cardwell with the Supreme Court. On December 8, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Jon Roseboro with the Supreme Court. On November 30, 2015 counsel filed the petition for rehearing in State v. Teramine Lamont Mcrorey with the Court of Appeals. On November 24, 2015 counsel filed a petition for writ of certiorari to the Court of Appeals and accompanying appendix in State v. Michael D. Camp with the Supreme Court.

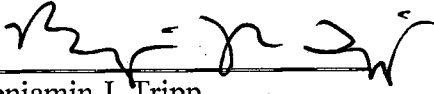
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload

will hopefully become more manageable in the near future, and less extensions will need to be requested.

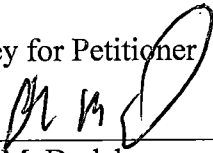
5. Counsel for the Attorney General's office has been informed of this request.

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


Robert M. Dudek
Chief Appellate Defender

February 3, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

Eugene C. Griffith, Jr., Circuit Court Judge

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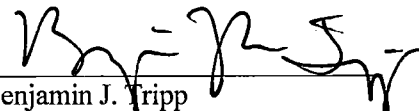
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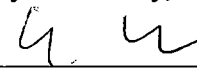
CERTIFICATE OF SERVICE

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 Karen Ratigan, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 3rd day of February, 2016.


Benjamin J. Tripp
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this
3rd day of February, 2016.


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