

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County

Eugene C. Griffith, Circuit Court Judge

RECEIVED

FEB 12 2016

SC SUPREME COURT

EDWARD RORECUSE YOUNG,

RESPONDENT,

V.

THE STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2015-000785

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

Counsel for Edward Rorecuse Young respectfully requests a **final six (6) day extension, until Thursday, February 16, 2016**, in which to file the return to petition for writ of certiorari in this case based on a calendaring error. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. **This extraordinary extension request is made because counsel's assistant is on emergency medical leave, and because of a calendaring error in her absence.** Counsel and several on his staff are also working on the sealed and redacted Record on Appeal in the death penalty case of State v. Ricky Lee Blackwell. **counsel does not have sufficient time to do justice to the return.** Counsel also had to go out of town on business Wednesday afternoon and Thursday of this week, and will be out of town on

business for one and half days at the end of next week. Counsel apologizes profusely for this calendaring error but the staff has been overloaded with one member out on emergency medical leave. Counsel is also making an administrative change to prevent the calendaring error from occurring again. In support of this request, counsel shows:

1. The return to petition for writ of certiorari is due to be filed with the Court today. The Court has granted counsel three previous extensions.
2. Counsel for Mr. Young respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time as noted above. 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. Counsel today, February 12, 2016 is filing the return to the petition for writ of certiorari in David Carmichael v. State. Counsel filed a petition for writ of certiorari with this Court in Samuel Thompson v. State on January 29, 2016. with this Court. On January 15, 2016, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Thomas James with the Court of Appeals. On January 13, 2016, counsel had an oral argument in the case of The State of South Carolina v. Whitlee Jones with this Court. On January 12, 2016, counsel had an oral argument in the case of The State of South Carolina v. Antonio Miller with this Court. On January 7, 2016, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenyatta Bryant v. The State of South Carolina with this Court. On January 6, 2016, counsel had an oral argument in the case of The State v. David Judson Penn before the Court of Appeals. On December 31, 2015 counsel filed an initial reply brief in the case of The State of South Carolina v. Ricky Lee Blackwell with this Court. On December 29, 2015, counsel also filed a petition for rehearing in the case of The State v. Andrew Antonio Clemons with the Court of Appeals. On

December 29, 2015 counsel filed a petition for rehearing in the case of The State of South Carolina v. Nathaniel Witherspoon with the Court of Appeals. On December 14, 2015, counsel filed a petition for writ of certiorari and accompanying appendix in the case of Anthony Edwards v. The State of South Carolina with this Court. On December 14, 2015 counsel filed a petition for writ of certiorari and accompanying appendix in the case of Andrew S. Plummer v. State of South Carolina with this Court. **Counsel also has extensive administrative duties including the reading of all filings of three new Appellate Defenders before they are filed, and Appellate Project oversight.**

4. Counsel makes this request in good faith and not for purpose of delay.

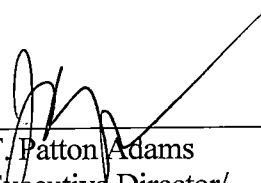
5. Counsel for the Attorney General's office does not oppose this request as shown by the signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final six (6) day extension, until February 16, 2016**, in which to file the return to petition for writ of certiorari in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



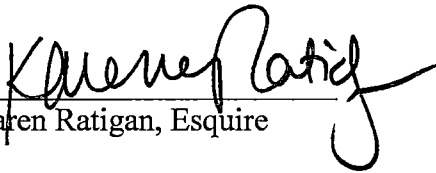
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

This 12th day of February, 2016.

I do not oppose this request:


Karen Ratigan, Esquire