

**ORIGINAL**

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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**RECEIVED**

FEB 18 2016

Certiorari to Spartanburg County  
R. Scott Sprouse, Circuit Court Judge

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**SC SUPREME COURT**

WILBUR SUMMERS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001864

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**PETITION FOR EXTENSION TO FILE  
PETITION FOR WRIT OF CERTIORARI  
AND APPENDIX**

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The undersigned counsel would respectfully request a **final thirty-day extension, until March 19, 2016**, in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Edward Rodriguez Anthony in the Court of Appeals on February 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jerry Dudley in the Court of Appeals on February 3, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kenyatta Latwan Sherer v. State in this Court on January 28, 2016. Counsel filed the petition for writ of

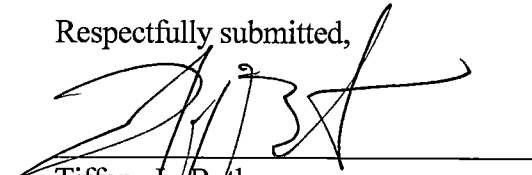
certiorari and accompanying appendix in the case of Mark A. Watson v. State in this Court on January 19, 2016. Counsel filed the petition for rehearing in the case of State v. Tonya McAlhaney in the Court of Appeals on January 7, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Milciades Alacantara v. State in this Court on December 21, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Reginald Wheeler v. State in this Court on December 14, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lorenzo R. Nicholson v. State in this Court on December 14, 2015.

3. This request is made in good faith, and not for purposes of delay. Counsel is striving to limit the number of extensions requested. Counsel is attempting to complete the cases with the most number of extensions first.

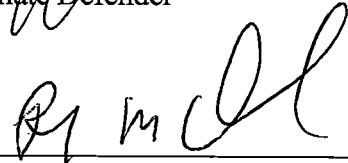
4. As indicated by consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until March 19, 2016**, in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Tiffany L. Butler  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

February 18, 2016

I DO NOT OPPOSE:

\_\_\_\_\_  
Alicia Olive, Esquire

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Spartanburg County

R. Scott Sprouse, Circuit Court Judge  
\_\_\_\_\_

WILBUR SUMMERS,

PETITIONER,

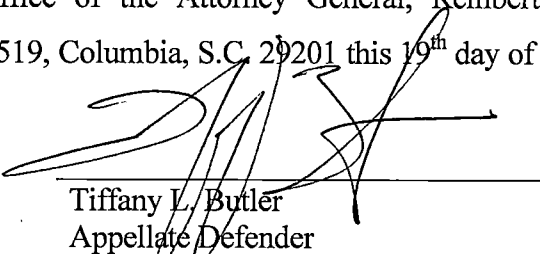
V.

STATE OF SOUTH CAROLINA,

RESPONDENT


\_\_\_\_\_  
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 Alicia Olive, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 19<sup>th</sup> day of January, 2016.

  
\_\_\_\_\_  
Tiffany L. Butler  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
This 18th day of February, 2016

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: July 3, 2023.