

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Anderson County
Edgar W. Dickson, Circuit Court Judge

STEVEN MCELRATH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2015-001081

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

Counsel for Steven McElrath respectfully requests a **final thirty (30) day extension, until March 23, 2016**, in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Steven McElrath 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 her caseload, counsel hopes that no further extension requests will be required.

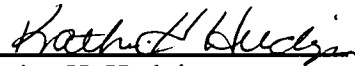
3. Counsel filed the brief of petitioner in the case of Willie J. Adams v. State of South Carolina with this Court on February 22, 2016. Counsel also filed the petition for writ of certiorari and accompanying appendix in the case of Marshall Dewitt McGaha v. State of South Carolina with this Court as well as a petition for writ of certiorari to the Court of Appeals in the case of The State v. Gary R. Thompson with this Court on February 22, 2016. Counsel also filed a petition for rehearing in the case of Stephen Smalls v. The State of South Carolina on February 22, 2016 with the Court of Appeals. Counsel filed the Initial Reply Brief in the case of State v. Preston Oates with the Court of Appeals on February 11, 2016. Counsel presented an oral argument in the Court of Appeals in the case of State v. Anthony Bailey on February 10, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph Martin with the Court of Appeals on February 3, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice C. Kinard v. State with this Court on February 1, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Joshua James Parker with the Court of Appeals on January 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sammy Cowan v. State with this Court on January 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyrone Shumpert v. State with this Court on January 14, 2016. Counsel presented an oral argument in this court in the case of State v. Melvin P. Stukes on January 13, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Octavia Middleton v. State with this Court on January 7, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrin Holston v. State with this Court on December 21, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tremaine Wray v. State with this Court on December 21, 2015.

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

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

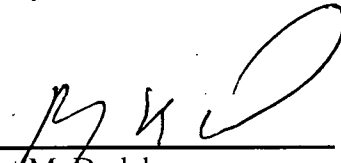
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until March 23, 2016**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 22nd day of February, 2016.

I consent:



Patrick Schmeckpeper, Esquire