

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**  
MAR 17 2016  
SC SUPREME COURT

\_\_\_\_\_  
Certiorari to Lexington County

DeAndre Benjamin, Circuit Court Judge  
\_\_\_\_\_

DAVID ONLEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-002089  
\_\_\_\_\_

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

The undersigned counsel would respectfully request a thirty-day extension 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:

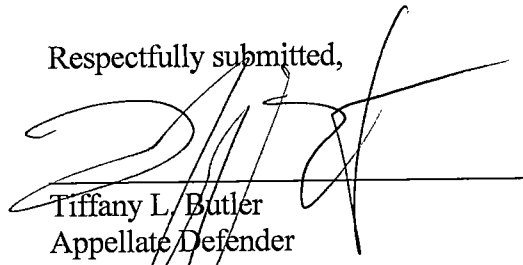
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the Final Brief of Appellant in the case of The State of South Carolina v. Demetrice R. James in the Court of Appeals on March 9, 2016. Counsel filed

the Appendix in the case of Dyzshon R. Boykins v. State of South Carolina in this Court on March 8, 2016. Counsel filed the Final Brief of Appellant in the case of The State of South Carolina v. Demetrice R. James in the Court of Appeals on March 9, 2016. Counsel filed the Initial Brief of Appellant in the case of The State v. Jerry Dudley in the Court of Appeals on March 4, 2016. Counsel filed the Johnson Petition for Writ of Certiorari in the case of Randolph Ashford v. The State in this Court on March 2, 2016. Counsel filed the record on appeal in the case of The State v. Demetrice Roosevelt James in the Court of Appeals on February 18, 2016. 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 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 the Supreme 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.

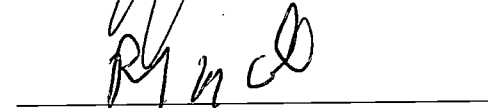
3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension 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,

A large, stylized handwritten signature in black ink, appearing to be 'T. Butler', written over a horizontal line.

Tiffany L. Butler  
Appellate Defender

A handwritten signature in black ink, appearing to be 'R. M. Dudek', written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

March 17, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Lexington County

DeAndre Benjamin, Circuit Court Judge

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DAVID ONLEY,

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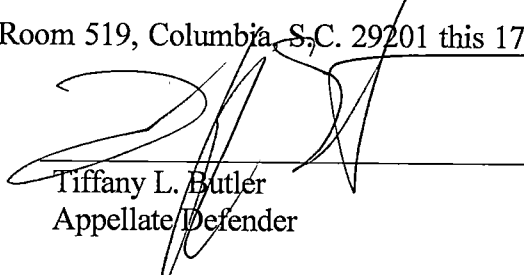
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-002089

\_\_\_\_\_  
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 Patrick Schmeckpeper, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 17<sup>th</sup> day of March, 2016.

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

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
This 17<sup>th</sup> day of March, 2016

Christian Ford (L.S.)  
Notary Public for South Carolina  
My Commission Expires: March 1, 2026.