

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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APR 20 2016

Appeal from Sumter County

SC SUPREME COURT

George C. James, Jr., Circuit Court Judge

TREY LEVAR GARNER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-001688

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

The undersigned counsel respectfully requests a thirty day extension, **until May 20, 2016**, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of James Clyde Dill v. The State of South Carolina in the

Supreme Court on April 18, 2016. Counsel filed the consent motion to hold the appeal in abeyance and remand for resentencing in the case of The State v. Darrell Ervin Raines, Jr. with the Court of Appeals on April 7, 2016. Counsel filed the initial reply brief of appellant in the case of The State v. John Henry Lowery, II with the Court of Appeals on April 4, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kevin Brown v. The State of South Carolina in the Supreme Court on March 25, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Landon T. Sanders v. The State of South Carolina in the Supreme Court on March 23, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Staggs v. The State of South Carolina in the Supreme Court on March 21, 2016. Counsel filed the petition for petitioner's return to state's motion to dismiss or in alternative to remand the case to general sessions in the case of Donald Roberts v. The State of South Carolina in the Supreme Court on March 17, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Taquan Brown with the Court of Appeals on March 14, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Gary Fraley with the Court of Appeals on March 9, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Arthur Thomas with the Court of Appeals on March 3, 2016.

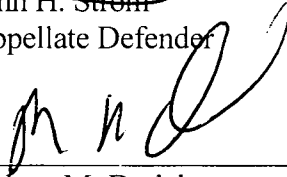
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

John H. Strom
Appellate Defender

A smaller, more compact handwritten signature in black ink, featuring a series of connected loops and a final vertical stroke.

Robert M. Dudek
Chief Appellate Defender

April 20, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Sumter County

George C. James, Jr., Circuit Court Judge

TREY LEVAR GARNER,

PETITIONER,

V.

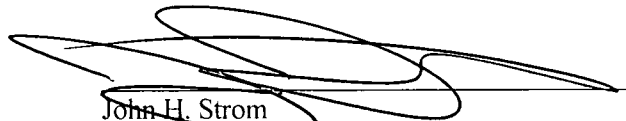
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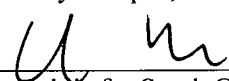
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Jule Coleman, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 20th day of April, 2016.


John H. Strom
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 20th day of April, 2016.

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