

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Dorchester County
Maite Murphy, Circuit Court Judge

**ORIGINAL
RECEIVED**

MAY 18 2016

SC SUPREME COURT

MICHAEL ALLEN CARTER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-002510

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

Counsel for Michael Allen Carter respectfully requests an extension of thirty (30) days 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Michael Allen Carter 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 his caseload, counsel hopes that no further extension requests will be required.

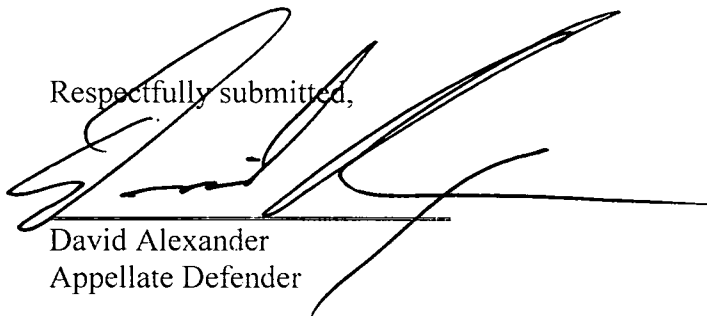
3. Counsel had an oral argument in the case of In the Matter of the Care and Treatment of Jeffrey Chapman before the Supreme Court on May 17, 2016. Together with co-counsel Robert M. Dudek and Susan Hackett, counsel filed a petition for writ of certiorari in the case of State v. Brett Parker, in which the record exceeded 3,200 pages, with the Supreme Court on May 11, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonathan Holder with the Court of Appeals on May 6, 2016. Counsel had an oral argument in the case of Jason Kinloch v. State before the Court of Appeals on May 2, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Joseph Cobb v. State with the Supreme Court on April 28, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of William Rice v. State with the Supreme Court on April 26, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Bobby Sims with the Court of Appeals on April 25, 2016. Counsel had an oral argument in the case of State v. Matthew Medley before the Court of Appeals on April 19, 2016. Along with co-counsel Chief Appellate Defender Robert M. Dudek, counsel had an oral argument in the death penalty case of State v. Ricky Blackwell before the Supreme Court on April 13, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gerald Williams with the Court of Appeals on April 6, 2016. Counsel filed a petition for rehearing in the case of State v. Gerald Barrett with the Court of Appeals on April 5, 2016. Counsel filed the initial reply brief in the case of In the Matter of the Care and Treatment of Daquan Johnson with the Supreme Court on March 31, 2016. Counsel filed the brief of appellant and designation of matter in the case of State v. Jeremiah Johnson with the Court of Appeals on March 30, 2016. Counsel filed petition for writ of certiorari and accompanying appendix in the case of Keith Gadsden v. State with the Supreme

Court on March 24, 2016. Counsel had an oral argument in the case of State v. Willie Williams before the Court of Appeals on March 9, 2016.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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 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.

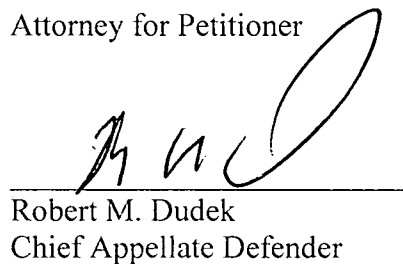
Respectfully submitted,



A large, stylized handwritten signature in black ink, appearing to read 'D. Alexander', is written over a horizontal line.

David Alexander
Appellate Defender

Attorney for Petitioner



A smaller, stylized handwritten signature in black ink, appearing to read 'R. M. Dudek', is written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

May 18, 2016

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Dorchester County
Maite Murphy, Circuit Court Judge

MICHAEL ALLEN CARTER,

PETITIONER,

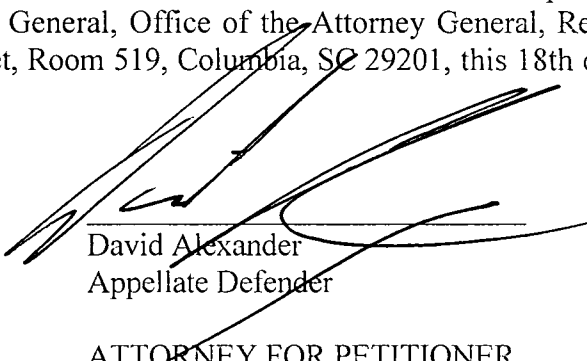
V.

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 Clay Mitchell, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 18th day of May, 2016.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 18th day
of May, 2016.

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