

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Marlboro County

Thomas A. Russo, Circuit Court Judge

RECEIVED

JUN - 6 2016

SC SUPREME COURT

VONDELL MALACHI,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-002429

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

The undersigned counsel respectfully requests a thirty day extension, **until July 6, 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 return opposing the state's motion to strike petition for writ of certiorari, appendix, and supplemental appendices for failure to comply with rule 210(c), SCACR in the case of Tunzy Sanders v. The State of South Carolina in the Supreme Court on May 27, 2016.

Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Dustin Evans v. The State of South Carolina in the Supreme Court on May 25, 2016. Counsel filed the initial brief of appellant in the case of The State v. Gerome Smith with the Court of Appeals on May 20, 2016. Counsel filed the initial reply brief of appellant in the case of The State v. Lance L. Miles with the Court of Appeals on May 16, 2016. Counsel filed the motion to remand in the case of The State v. Joe Ross Worley with the Court of Appeals on May 4, 2016. Counsel filed *White v. State* brief of appellant in the case of Daniel Hamrick v. The State of South Carolina in the Supreme Court on May 2, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Daniel Hamrick v. The State of South Carolina in the Supreme Court on May 2, 2016.

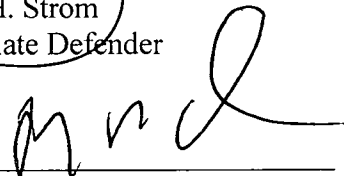
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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,



John H. Strom
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

June 6, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Marlboro County

Thomas A. Russo, Circuit Court Judge

VONDELL MALACHI,

PETITIONER,

V.

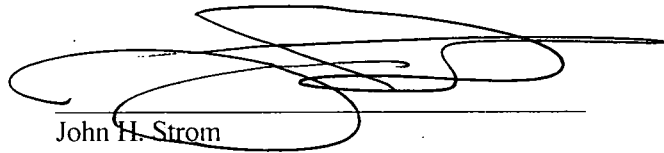
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2015-002429

CERTIFICATE OF SERVICE

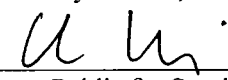
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Caitlin Hastings, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 6th day of June, 2016.



John H. Strom
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 6th day of June, 2016.



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