

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Orangeburg County  
Diane Schafer Goodstein, Circuit Court Judge

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RECEIVED

OCT 29 2012

S.C. Supreme Court

RUFINO URIOSTEGUI,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-212087

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

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Counsel for Rufino Uriostegui respectfully requests an extension of a **final** 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court on **October 29, 2012**.
2. Counsel for Mr. Uriostegui 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. On October 26, 2012, counsel filed the brief of appellant and record on appeal in State v. Tina Dockery. On October 24, 2012, counsel filed the brief of appellant and record on appeal in


State v. Darrell Williams in the Court of Appeals. On October 18, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Christopher Lee Johnson in the Court of Appeals. On October 15, 2012, counsel filed the petition for writ of certiorari and appendix in Norman J. Hayes v. State with this Court. On October 12, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Kristopher Wilmont Berry in the Court of Appeals. On October 9, 2012, counsel filed the petition for writ of certiorari and appendix in James Wilkinson v. State with this Court. On October 5, 2012, counsel filed the initial brief of appellant and designation of matter and record on appeal in State v. Chanton Edjuan Smith in the Court of Appeals. On October 4, 2012, counsel had an oral argument in State v. Rushan Counts in the Court of Appeals. On October 1, 2012, counsel filed the petition for writ of certiorari and appendix in James Russell v. State in the Supreme Court. On September 28, 2012, counsel filed the petition for writ of certiorari and appendix in Tashon Sampson v. State with this Court. On September 24-26, 2012, counsel attended the South Carolina Public Defenders Conference. On September 21, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Tristan Cheek and State v. Matthew Frazier in the Court of Appeals. On September 18, 2012, counsel filed the petition for writ of certiorari in Andre Lee Reed v. State with this Court. On September 17, 2012, counsel filed the petition for writ of certiorari in Cecil Simmons v. State as well as his petition for writ of certiorari pursuant to Austin v. State and appendix with this Court. On September 13, 2012, counsel filed the petition for writ of certiorari and appendix in Kevin Cook v. State with this Court. On September 12, 2012, counsel filed a brief in State v. Ricky Tate in the Court of Appeals. On September 10, 2012, as substitute counsel, counsel had oral arguments in State v. Brandon Clark and State v. Joe Pradubsri in the Court of Appeals. On September 4, 2012, counsel had a remand hearing for a new trial based on after-discovered evidence in State v. Richard Gagnon at the Horry County Courthouse. On August 31, 2012, Counsel filed the petition for writ of certiorari and appendix in Luther Brian Marcus v. State with

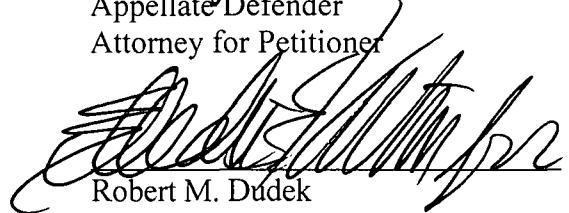
this Court. On August 29, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Phillip Hingleton v. State with this Court. On August 24, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Humphrey in the Court of Appeals.

4. Counsel makes this request in good faith and not for purpose of delay.
5. As indicated by signature below, Suzanne H. White, of the South Carolina Attorney General's Office, does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final** 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.

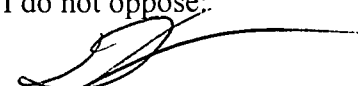
Respectfully submitted,

  
Dayne C. Phillips  
Appellate Defender  
Attorney for Petitioner

  
Robert M. Dudek  
Chief Appellate Defender

October 29, 2012

I do not oppose:

  
Suzanne H. White