

PETITION FOR A WRIT OF CERTIORARI TO THE
COURT OF APPEALS

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Court of General Sessions

Honorable J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2015-001576

RECEIVED

JUL 15 2016

SC SUPREME COURT

The State of South Carolina,

Respondent/Petitioner,

v.

Venancio Diaz Perez,

Petitioner/Respondent.

AMENDED MOTION FOR EXTENSION TO FILE BRIEF

ALAN MCCRORY WILSON
Attorney General

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ATTORNEYS FOR PETITIONER

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ATTORNEYS FOR RESPONDENT

Pursuant to Rule 263(b), SCACR, and this Court's Order of July 16, 2014 (Re: Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals), the State of South Carolina requests a 20-day extension of time to file its brief.

I.

Pursuant to this Court's Order of June 16, 2016, notifying the parties that both petitions for certiorari to review the Court of Appeals' decision in this matter, the State's brief is due to be served and filed on Monday, July 18.

II.

Counsel for the State, Special Assistant Attorney General Amie Clifford, has been out of her office and out of the state from June 18 through the evening of July 12, 2016, taking care of her sister, who had an unexpected, serious health issue arise requiring surgery and subsequent treatment.

III.

This extension request is not intended to delay these proceedings, but to ensure sufficient time for the undersigned counsel to further develop and refine the State's arguments for this Court. Counsel for Petitioner/Respondent has informed the undersigned counsel that he consents to the State's requested extension.

IV.

Petitioner/Respondent has also asked for an extension of time for filing his brief. The undersigned counsel for the State consents to that request.

WHEREFORE, for the foregoing reasons, the State respectfully requests a 20-day extension of time to prepare its Brief; and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

ALAN MCCRORY WILSON
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BY: 

ATTORNEYS FOR PETITIONER

July 15, 2016

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA

In The Supreme Court

APPEAL FROM CHARLESTON COUNTY

Court of General Sessions
J.C. Nicholson, Circuit Court Judge

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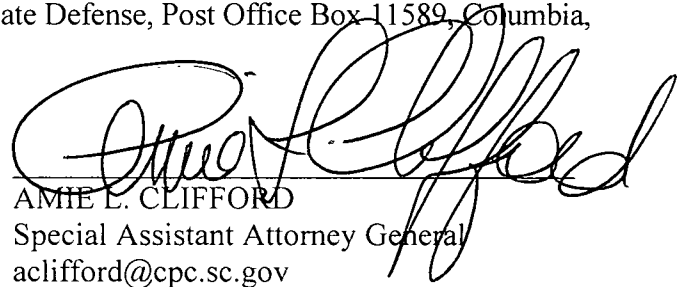
v.

Venancio Diaz Perez,

Petitioner/Respondent.

PROOF OF SERVICE

I certify that I have today served a copy of the State's Amended Motion for Extension to File Brief and Appendix(ices) on Petitioner/Respondent, Venancio Diaz Perez, by depositing such in the United States Mail, first class postage prepaid, addressed to his attorney of record, Jason Scott Luck, Esquire, Seibels Law Firm, P.A. 38 Broad Street, Suite 200, Charleston, South Carolina 29401, and by depositing one copy of each in the United States Mail, first class postage prepaid, addressed to his co-counsel, Robert M. Dudek, Chief Appellate Defender, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, South Carolina 29211.



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July 15, 2016
Columbia, South Carolina



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SC SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

July 15, 2016

Honorable Daniel E. Shearouse
Clerk of Court, South Carolina Court of Appeals
Supreme Court of South Carolina
P.O. Box 11330
Columbia, South Carolina 29211

Re: *State v. Venancio Diaz Perez* (Appellate Case No. 2015-001576)

Dear Mr. Shearouse:

Enclosed for filing, please find the original and six (6) copies of the State's Amended Motion for Extension to File Brief and Appendix(Ices) in the above-referenced appeal. I have also enclosed the original Proof of Service indicating service of the Motion.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Amie L. Clifford
Special Assistant Attorney General
aclifford@cpc.sc.gov
S.C. Bar No. 1285

Enclosures

cc: Jason Scott Luck, Esquire, and Robert M. Dudek, Chief Appellate Defender
Counsel for Appellant
(each with one copy of the enclosures)
Senior Assistant Deputy Attorney General J. Benjamin Aplin