

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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ORIGINAL

Certiorari to Lexington County  
Brooks P. Goldsmith, Circuit Court Judge

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AUG - 5 2016

MICHAEL RAY ELDERS,

PETITIONER  
SC SUPREME COURT

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2016-000242

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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 Michael Ray Elders respectfully requests a **final thirty (30) day extension, until September 5, 2015**, 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 are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. Elders 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 her caseload, counsel hopes that no further extension requests will be required.

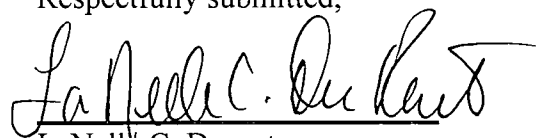
3. Counsel filed initial brief of appellant and designation of matter in the case of State v. Jerry L. Gardner, Jr. in the Court of Appeals on August 3, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Vincent Rice v. State in this Court on August 3, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Termain Cooper v. State in this Court on July 26, 2016. Counsel filed petition for writ of certiorari to the Court of Appeals in the case of The State v. Jeffrey Davis in this Court on July 19, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Anthony Ogden v. State in this Court on July 14, 2016. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Matthew Atkinson v. The State in this Court on June 9, 2016. Counsel had an oral argument in the case of The State v. Arthur Moseley before the Court of Appeals on June 8, 2016.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.


WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until August 5, 2015**, 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,



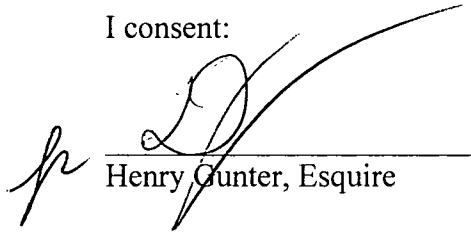
LaNelle C. Durant  
Appellate Defender

Attorney for Petitioner.

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 5<sup>th</sup> day of August, 2015.

I consent:

  
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Henry Gunter, Esquire