

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Horry County
Thomas A. Russo, Circuit Court Judge

GREGORY PENCILLE,

RECEIVED

AUG 15 2016

SC SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000412

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

Counsel for Gregory Pencille respectfully requests an extension of thirty (30) days in which to file for the petition for writ of certiorari 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 accompanying appendix are due to be served and filed with the Court today.
2. Counsel for Gregory Pencille 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.

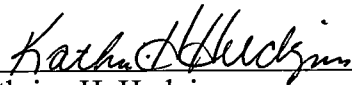
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State of South Carolina v. Robert Wilson on July 26, 2016 with the Court of Appeals. Counsel filed the petition for writ of certiorari to the Court of Appeals and accompanying appendix in the case of Willis Weary v. The State of South Carolina on July 25, 2016 with this Court. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Vice v. The State of South Carolina on July 22, 2016 with this Court. Counsel filed a petition for rehearing in the case of Darryl Frierson v. The State of South Carolina on July 14, 2016 with the Court of Appeals. Counsel filed a petition for rehearing in the case of The State of South Carolina v. William Anthony Wallace on July 14, 2016 with the Court of Appeals. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrella Watson v. The State of South Carolina on July 8, 2016 with this Court.

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 writ of certiorari and accompanying appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This August 15, 2016

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Horry County
Thomas A. Russo, Circuit Court Judge

GREGORY PENCILLE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

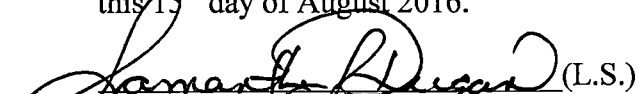
I certify that a copy of the Motion for an Extension of Time in which to file the writ of certiorari and accompanying appendix in the above referenced case has been served upon Caitlin Hastings, Esquire, at Office of the Attorney General, the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 15th day of August, 2016.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 13th day of August 2016.



(L.S.)
Notary Public for South Carolina
My Commission Expires: April 27, 2026.