

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to York County  
Daniel D. Hall, Circuit Court Judge

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SEP 08 2016

S.C. SUPREME COURT

STEVEN SPAGNOLI,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000961

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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 Steven Spagnoli respectfully requests an extension of 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. **This case was reassigned to undersigned counsel on September 1, 2016 after Tiffany Butler left the Office of Appellate Defense. Petitioner was granted a belated direct appeal pursuant to White v. State, 263 S.C. 110, 108 S.E.2d 35 (1974). The trial transcript in this murder case is 915 pages.**

3. Counsel for Steven Spagnoli 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.

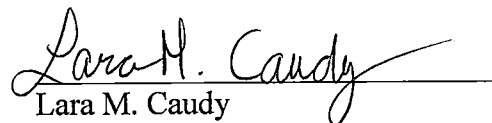
4. On September 8, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Kentrell Liburd v. State with this Court. On September 1, 2016, counsel filed the brief of petitioner in State v. Tiphani Parkhurst with this Court. On August 25, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Dalton Ellis Clarke with the Court of Appeals. On August 17, 2016, counsel filed a brief of petitioner in State v. Stepheno Alston with this Court. On August 12, 2016, counsel filed a petition for writ of certiorari and an accompanying appendix in Rion Beaty v. State with this Court. On August 9, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Gerald Watts v. State with this Court. On August 4, 2016, counsel filed a petition for rehearing in State v. Roy Jones with the Court of Appeals. On July 22, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Karacus Freeman with the Court of Appeals. On July 12, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Latroy Brown v. State with this Court. On July 7, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Rodriquez J. Wolfe with the Court of Appeals. On June 28, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in Bennie Golston v. State with this Court. On June 22, 2016, counsel filed an initial brief of appellant and designation of matter in In the Interest of: Nhaquise B., A Minor Under the Age of Seventeen with the Court of Appeals. On June 16, 2016, counsel filed a petition for writ of certiorari and accompanying appendix in David L. Barnes v. State with this Court. On June 9, 2016, counsel

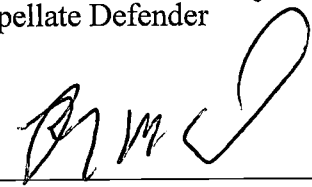
filed a petition for writ of certiorari and accompanying appendix in Treveen Gethers v. State with this Court. On June 3, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Marquis Dellan Evans with the Court of Appeals.

5. Counsel makes this request in good faith and not for purpose of delay.
6. 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 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 for writ of certiorari and appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
Lara M. Caudy  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

September 8, 2016.

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IN THE SUPREME COURT

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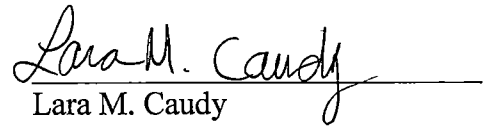
RESPONDENT

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CERTIFICATE OF SERVICE

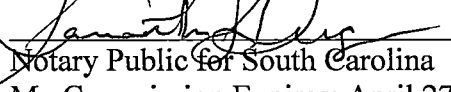
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I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Justin Hunter, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 8th day of September, 2016.

  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 8th day of September, 2016.

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