

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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ORIGINAL

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

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RECEIVED

OCT 17 2016

PETITIONER SUPREME COURT

STEVEN SPAGNOLI,

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 a **final thirty (30) day extension, until November 16, 2016**, 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 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 appendix in this murder case is over 900 pages.**

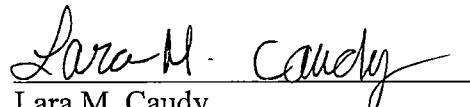
3. Counsel for Steven Spagnoli respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


4. On October 10, 2016, counsel filed the initial brief of appellant and designation of matter in State v. Jonathon Phillips with the Court of Appeals. On October 4, 2016, counsel filed a petition for writ of certiorari to the Court of Appeals and an accompanying appendix in State v. Roy Lee Jones with this Court. From September 26, 2016 through September 28, 2016, counsel attended the annual Public Defender Conference in Myrtle Beach. On September 22, 2016, counsel participated in a remand hearing in Spartanburg County in Marion Lindsey v. State before the Honorable Paul M. Burch. On September 16, 2016, counsel filed a Reply to Return Petition for Writ of Certiorari in Treveen Gethers v. State with this court. On September 8, 2016, counsel filed a petition for writ of certiorari and an accompanying appendix in Kentrell Liburd v. State with this Court. On September 1, 2016, counsel filed a brief of petitioner in State v. Tiphani Marie 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. Stephen 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.

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 **final thirty (30) day extension, until November 16, 2016**, 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.

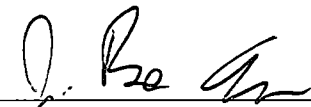
Respectfully submitted,

  
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Lara M. Caudy  
Appellate Defender

  
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Robert M. Dudek  
Chief Appellate Defender

October 17, 2016

I consent:

  
for \_\_\_\_\_  
Justin Hunter, Esquire

STATE OF SOUTH CAROLINA  
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STEVEN SPAGNOLI,

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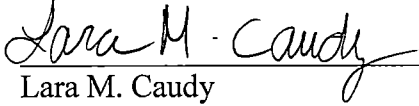
RESPONDENT

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CERTIFICATE OF SERVICE

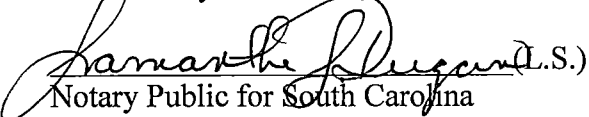
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I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Justin Hunter, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of October, 2016.

  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 17th day of October, 2016.

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