

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Orangeburg County  
Kristi Lea Harrington, Circuit Court Judge

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MARIO SHIVERS,

RECEIVED

PETITIONER NOV -9 2016

V.

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000855

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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 respectfully requests a **final extension of thirty (30) days until December 9, 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 is due to be served and filed with the Court today.
2. Counsel 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 his caseload, counsel hopes that no further extension requests will be required.

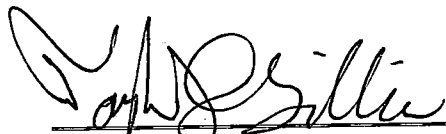
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rene M. Rodriguez v. State of South Carolina with the Supreme Court on October 31, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael T. Sanders v. State of South Carolina with the Supreme Court on October 21, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kendrick Mims with the Court of Appeals on October 17, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Alan Bruce Carruthers v. State of South Carolina with the Supreme Court on October 17, 2016. Counsel filed reply of the return to the motion to hold appeal in abeyance and motion to remand for reconstruction of post-conviction relief hearing or the granting of a new trial in the case of Quincy McCants v. State of South Carolina with the Supreme Court on October 14, 2016. Counsel filed the motion to hold appeal in abeyance and motion to remand for reconstruction of post-conviction relief hearing or the granting of a new trial in the case of Quincy McCants v. State of South Carolina with the Supreme Court on September 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Reggie Pinkney v. State of South Carolina with the Supreme Court on September 14, 2016.

4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 December 9, 2016**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam  
Appellate Defender


Attorney for Petitioner



Robert M. Dudek  
Chief Appellate Defender

This 9<sup>th</sup> day of November, 2016

I Consent:

  
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Johanna Valenzuela, Esquire