

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Charleston County

Honorable Doyet Early, Circuit Court Judge

FRANK MIDDLETON,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

RESPONDENT

APPELLATE CASE NO 2016-001524

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

The undersigned counsel respectfully requests a thirty day extension, **until December 28, 2016**, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lexie James Turner v. State of South Carolina with the Supreme Court on November 17,

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2016. 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.

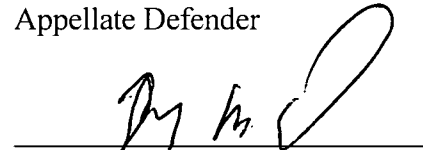
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Taylor D. Gilliam", written over a horizontal line.

Taylor D. Gilliam
Appellate Defender

A handwritten signature in black ink, appearing to read "Robert M. Dudek", written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

November 23, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Charleston County

Honorable Doyet Early, Circuit Court Judge

FRANK MIDDLETON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Rutledge Johnson, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 23rd day of November, 2016.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 23rd day of November, 2016.



(L.S.)

Notary Public for South Carolina

My Commission Expires: May 12th, 2025.