

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Certiorari to Greenville County
Honorable Perry H. Gravely, Circuit Court Judge

DEC -9 2016

S.C. SUPREME COURT

ELVIRA LYNN SEAY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000408

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF
CERTIORARI AND APPENDIX

Counsel for Elvira Lynn Seay 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. Counsel for Elvira Lynn Seay 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 Johnson Petition for Writ of Certiorari and the accompanying appendix in the case of Travarias Walker v. The State of South Carolina with the Supreme Court on December 6, 2016. Counsel filed the Initial Brief of Appellant in the case of The State v. Terry Williams with this Court on November 30, 2016. Counsel filed the Johnson Petition for Writ of Certiorari and the accompanying appendix in the case of Tremaine Nelson v. The State of South Carolina with the Supreme Court on November 28, 2016. Counsel filed the Petition for Writ of Certiorari and the accompanying appendix in the case of Taurus Watts v. The State of South Carolina in the Supreme Court on November 17, 2016. Counsel filed the Initial Brief of Appellant in the case of The State v. Emmanuel Elleby with this Court on November 9, 2016. Counsel filed the Petition for Writ of Certiorari in the case of Frederick Flowers v. The State of South Carolina with the Supreme Court on November 9, 2016. Counsel filed the Petition for Rehearing in the case of Shanna Kranchick v. The State of South Carolina with this Court on November 9, 2016. Counsel filed the Johnson Petition for Writ of Certiorari and appendix in the case of LeArthur Hills v. The State of South Carolina with the Supreme Court on October 31, 2016. Counsel filed the Initial Brief of Appellant in the case of The State of South Carolina v. Nathaniel Wright with this Court on October 25, 2016.

4. Counsel makes this request in good faith and not for purpose of delay.

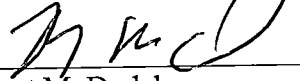
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the 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 be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

December 9, 2016

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Honorable Perry H. Gravely, Circuit Court Judge

ELVIRA LYNN SEAY,

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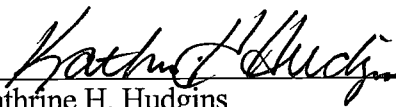
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000408


CERTIFICATE OF SERVICE

I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Patrick Schmeckpeper, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 9th day of December, 2016.


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 9th day
of December, 2016.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: March 1, 2026.