

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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RECEIVED

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas  
Edgar W, Dickson, Circuit Court Judge

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DEC 13 2016  
S.C. SUPREME COURT

Appellate Case No: 2016-000823

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James Livingston.....Petitioner

v.

State of South Carolina.....Respondent

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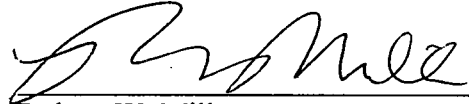
MOTION FOR EXTENSION OF TIME TO FILE

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The undersigned attorney, Robert W. Mills, hereby moves for an extension of time to serve and file the petition for Writ of Certiorari and appendix or other pleading in the above captioned appeal which is due to be served and filed on December 16, 2016. Petitioner is requesting a thirty day extension. This is Petitioner's fourth extension request in this matter, and is not intended for the purpose of delay but is due to the fact that the undersigned attorney is a solo practitioner and due to his heavy workload, including many court appearances, the attorney could not complete this matter in the time allotted. Furthermore, the request for the transcript by Petitioner's attorney resulted in the court reporter Harriet Bennett's letter, filed August 22, 2016 which stated that the transcript could not be produced. The Petitioner James Livingston, or someone on his behalf, had previously ordered a transcript of the PCR hearing which he has

stated is incomplete. Therefore, Petitioner's counsel requests this extension in order to review the materials with the Petitioner and counsel for the State in an expedited manner to determine if the record can be agreed upon or whether a Motion for Reconstruction of the hearing is necessary. Counsel for the State, Senior Assistant Deputy Attorney General Johanna Valenzuela consents to this Motion. Therefore, Petitioner moves for a thirty day extension to serve and file the petition for Writ of Certiorari and appendix or other pleading in the above captioned Appeal.

Respectively submitted,



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Robert W. Mills  
1728 Main Street  
Columbia, South Carolina 29201  
(803) 252-9648  
Attorney for Petitioner

I CONSENT:



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Johanna Valenzuela  
Senior Assistant Deputy Attorney General

Columbia, SC  
December 13, 2016

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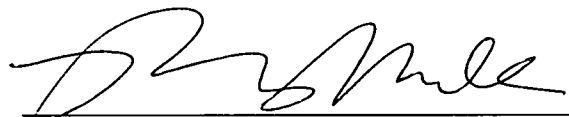
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PROOF OF SERVICE

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I certify that I have served the Motion for Extension of Time to File on the State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on December 13, 2016, addressed to the attorney of record, Johanna Valenzuela Office of the Attorney General, P.O. Box 11549, Columbia, South Carolina 29211-1549

December 13, 2016



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