

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Spartanburg County

Honorable R. Ferrell Cothran, Circuit Court Judge

CHUCK EDWARD MCCULLOUGH,

RECEIVED
DEC 21 2016

S.C. SUPREME COURT
PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2016-001416

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

The undersigned counsel respectfully requests a thirty day extension, **until January 20th, 2017**, 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:

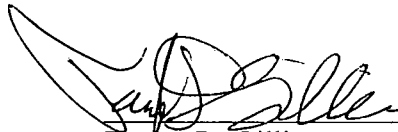
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronald Lance v. State of South Carolina with the Supreme Court on December 16, 2016.

Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darius Green v. State of South Carolina with the Supreme Court on December 16, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mario Shivers v. State of South Carolina with the Supreme Court on December 9, 2016. 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, 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.

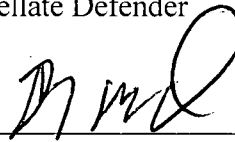
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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,



Taylor D. Gilliam
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 21, 2016

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Spartanburg County

Honorable R. Ferrell Cothran, Circuit Court Judge

CHUCK EDWARD MCCULLOUGH,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

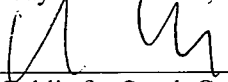
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Alicia Olive, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 21st day of December, 2016.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 21st day of December, 2016.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12th, 2025.