

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Appeal from Spartanburg County
Honorable Larry B. Hyman, Circuit Court Judge

RECEIVED

JAN 11 2017

BRIAN STAPLETON,

S.C. SUPREME COURT
PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2016-001402

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

The undersigned counsel respectfully requests a thirty day extension, **until February 10, 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:

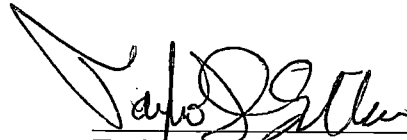
1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Terry Cooper with the Court of Appeals on January 6, 2017. Counsel filed the

petition for writ of certiorari and accompanying appendix in the case of William Cannon Gresham v. State of South Carolina with the Supreme Court on December 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Gregory Quinn Gathers v. State of South Carolina with the Supreme Court on December 21, 2016. 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.

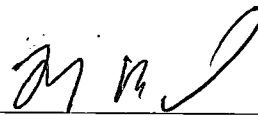
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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

January 11, 2017

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County

Honorable Larry B. Hyman, Circuit Court Judge

BRIAN STAPLETON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

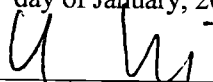
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Alicia Olive, Esquire, Office of the Attorney General, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 11th day of January, 2017.



Taylor D. Gilliam
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 11th day of January, 2017.

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