

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

Appeal from Pickens County
Edward W. Miller, Circuit Court Judge

JOSEPH P. SANDERS,

RECEIVED

PETITIONER JAN 17 2017

V.

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001795

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

Counsel for appellant 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 appellant 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari in the case of Joel Robinson v. State with this Court on January 13, 2017. Counsel filed the brief of petitioner in the case of State v. James Allen Johnson with this Court on January 3, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Jason Bodie with the Court of Appeals on December 28, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Cleveland Edward Young with the Court of Appeals on December 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Hunter Kenny Rivers with the Court of Appeals on December 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Maurice Marshall Harris with the Court of Appeals on December 13, 2016. Counsel filed the return to petition for writ of certiorari in the case of State v. Jimmy Turner with this Court on December 8, 2016. Counsel had an oral argument in the case of State v. Tyrone D. Ellison before the Court of Appeals on December 7, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Dwyer with the Court of Appeals on December 2, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Billy Ray Smith with the Court of Appeals on November 28, 2016. Counsel filed a petition for rehearing in the case of State v. James Kevin Bethal with the Court of Appeals on November 23, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Terry Catoe with the Court of Appeals on November 16, 2016.

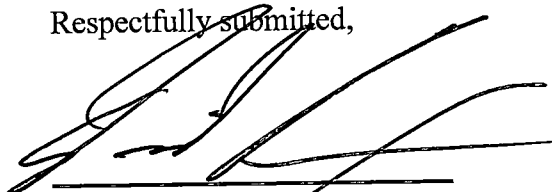
4. Counsel makes this request in good faith and not for purpose of delay.

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

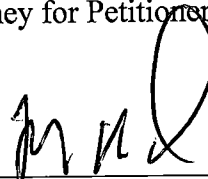
the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be 'D. Alexander', written over a horizontal line.

David Alexander
Appellate Defender

Attorney for Petitioner

A smaller handwritten signature in black ink, appearing to be 'R. M. Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

January 17, 2017

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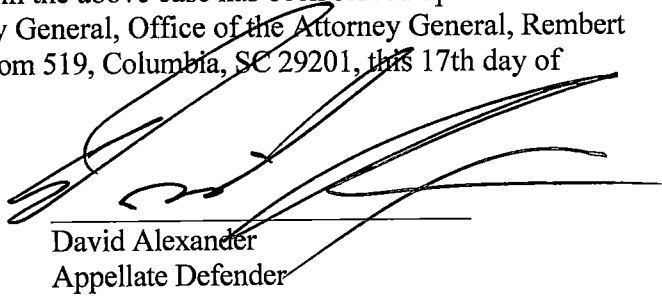
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001795

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 17th day of January, 2017.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 17th day
of January, 2017.

Maria Muddel (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.