

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable R. Keith Kelly, Circuit Court Judge

RECEIVED

JAN 17 2017

CHARLES E. MOORE,

S.C. SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001413

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

Counsel for Charles E. Moore 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:

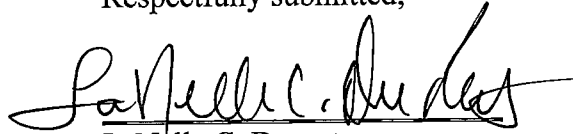
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Charles E. Moore respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously 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 initial brief of appellant and designation of matter in the case of State v. Tony Randall Lewis in the Court of Appeals on January 13, 2017. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Phillip Leon Shuler v. State in this Court on December 30, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Clarence J. Fishburne v. State in this Court on December 16, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of George Salisbury v. State in this Court on December 8, 2016. Counsel filed the brief of petitioner in the case of State v. Wayne Albeon Scott in this Court on December 5, 2016. Counsel filed the petition for rehearing in the case of State v. Johnny Jerome Boyd in the Court of Appeals on December 1, 2016. Counsel filed the petition for writ of certiorari and the accompanying appendix along with Anders brief of appellant pursuant to White v. State in the case of Samuel Brown v. State in this Court on November 23, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Wilkins Ross in 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.

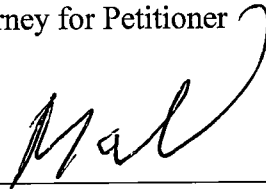
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "LaNelle C. Durant".

LaNelle C. Durant
Appellate Defender

Attorney for Petitioner

A handwritten signature in cursive script, appearing to read "R. M. Dudek".

Robert M. Dudek
Chief Appellate Defender

January 17, 2017

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable R. Keith Kelly, Circuit Court Judge

CHARLES E. MOORE,

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V.

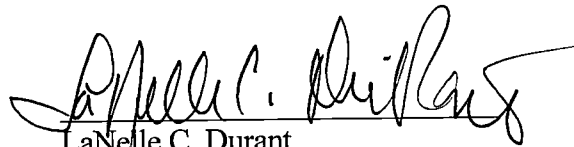
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001413

CERTIFICATE OF SERVICE

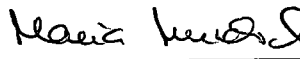
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Alicia Olive, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 17th day of January, 2017.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

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

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.