

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
D. Craig Brown, Circuit Court Judge

RECEIVED

JAN 27 2017

S.C. SUPREME COURT

BRICE DI'VON COLEY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-0001759

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

Counsel for Brice Di'Von Coley 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 Brice Di'Von Coley 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.

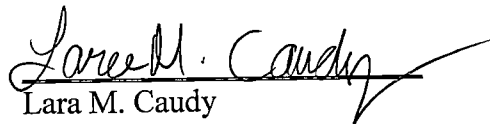
3. Today, January 27, 2017, counsel will file the initial brief of appellant and designation of matter in the case of The State v. Steven Dwayne Moses with the Court of Appeals. On January 18, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Alston with the Court of Appeals. On January 9, 2017, counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Carols J. Kemp v. The State with this Court. On January 3, 2017, counsel filed the brief of petitioner in the case of The State v. Ryan P. Deleston with this Court. On December 22, 2016, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Marvin Williams with the Court of Appeals. On December 15, 2016, counsel had an oral argument in the case of The State v. Tiphani Parkhurst before this Court. On December 14, 2016, counsel had an oral argument in the case of The State v. Stepheno Alston before this Court. On December 9, 2016, counsel filed the petition for writ of certiorari and accompanying appendix in the case of Troy Wright v. The State with this Court. On December 1, 2016, counsel filed the reply to the return to petition for writ of certiorari in the death penalty case of Anthony Woods v. State with this Court. On November 21, 2016, counsel filed the brief of petitioner in Keith Desue v. State with this Court.

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

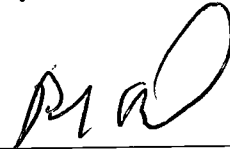
5. Counsel for the Attorney General's office has been informed of this request.

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,


Lara M. Caudy
Appellate Defender

Attorney for Petitioner


Robert M. Dudek
Chief Appellate Defender

January 27, 2017.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
D. Craig Brown, Circuit Court Judge

BRICE DI'VON COLEY,

PETITIONER,

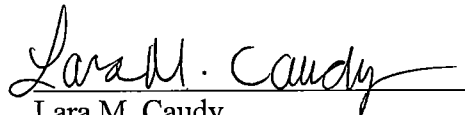
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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 Jessica Kinard, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 27th day of January, 2017.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 27th day
of January, 2017.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: November 3, 2026.