

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Horry County

Honorable Thomas A. Russo, Circuit Court Judge

DEAN HENRY COLE,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2016-000557

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

Counsel respectfully requests a **final extension of thirty (30) days until March 10, 2017**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted

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and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

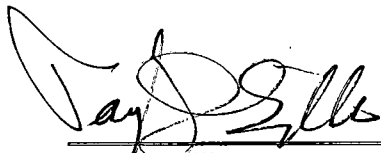
3. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frank Middleton v. State of South Carolina with the Supreme Court on January 27, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Joseph Manners with the Court of Appeals on January 18, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Tinsley v. State of South Carolina with the Supreme Court on January 11, 2017. 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.

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

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

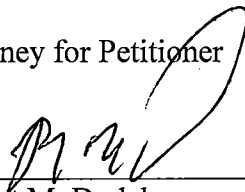
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until March 10, 2017**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam  
Appellate Defender

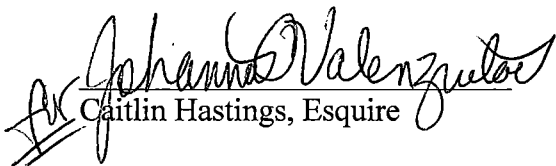
Attorney for Petitioner



Robert M. Dudek  
Chief Appellate Defender

This 8<sup>th</sup> day of February, 2017

I Consent:



Caitlin Hastings, Esquire