

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Larry B. Hyman, Circuit Court Judge

RECEIVED

FEB 21 2017

S.C. SUPREME COURT

BERT WAYNE FOSTER,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001667

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

The undersigned counsel would respectfully request a **final thirty-day extension, until March 23, 2017**, in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.

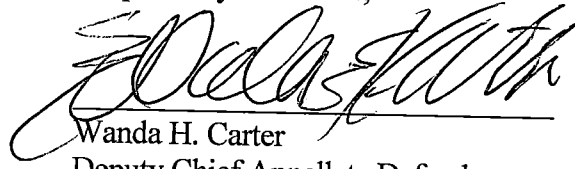
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Hershel Jefferson in the Court of Appeals on February 9, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Male Curry v. State in this Court on February 8, 2017. Counsel filed the petition for writ of

certiorari and accompanying appendix in the case of Ronnie Swofford v. State in this Court on February 8, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Carlos Scott v. State in this Court on January 27, 2017. Counsel filed the petition for rehearing in the case of State v. Robert Dale Hughes in the Court of Appeals on January 26, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Deandre Leaphart v. State in this Court on January 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Octavia Bell v. State in this Court on January 9, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald David Ratliff in the Court of Appeals on January 6, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Steven Irick v. State in this Court on December 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Rashawn Murphy v. State in this Court on December 28, 2016. Counsel filed the brief of petitioner in the case of State v. Jonathan Xavier Miller in this Court on December 12, 2016.

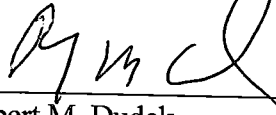
3. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until March 23, 2017**, in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion

Respectfully submitted,



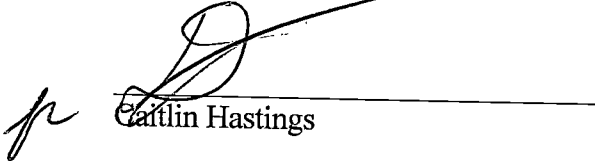
Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 21, 2017

I DO NOT OPPOSE:



Caitlin Hastings