

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Richland County  
Honorable Jocelyn J. Newman, Circuit Court Judge

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JOHN HENRY DIAL, JR.,

ORIGINAL

RECEIVED

MAR 15 2017

PETITIONER  
S.C. SUPREME COURT

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-002431

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

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Counsel for John Henry Dial, Jr. 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:

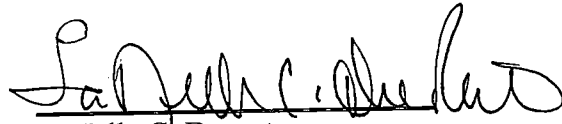
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for John Henry Dial, Jr. respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously 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. Aaron Baynard Griswold with the Court of Appeals on March 10, 2017. Counsel filed the petition for writ of certiorari in the case of State v. Johnny Jerome Boyd with this Court on February 28, 2017. Counsel filed the initial brief of appellant in the case of In the Interest of: Jairus J. V. with the Court of Appeals on February 24, 2017. Counsel filed the petition for writ of certiorari in the case of Charles E. Moore v. State with this Court on February 16, 2017. Counsel had an oral argument in the case of State v. Eric T. Spears with the Court of Appeals on February 13, 2017. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Trenton James Black v. State with this Court on February 7, 2017. Counsel filed the petition for writ of certiorari and the accompanying appendix in the case of Dennis Rodger Davis, Jr. v. State with this Court on February 2, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. John A. Darrieux with the Court of Appeals on January 27, 2017. Counsel filed the petition for rehearing in the case of State v. Quartis Naquan Hemingway with the Court of Appeals on January 26, 2017. Counsel filed the petition for rehearing in the case of State v. Michael Edward Williams with the Court of Appeals on January 26, 2017. 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.

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.

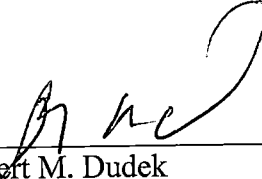
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



LaNelle C. Durant  
Appellate Defender

Attorney for Petitioner



Robert M. Dudek  
Chief Appellate Defender

March 15, 2017

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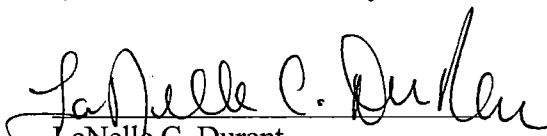
RESPONDENT

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CERTIFICATE OF SERVICE

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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 15th day of March, 2017.

  
LaNelle C. Durant  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 15th day  
of March, 2017.

  
\_\_\_\_\_(L.S.)

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