

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

Honorable Robert E. Hood, Circuit Court Judge

ALBERT J. CAVE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2016-002383

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

Counsel for Albert J. Cave respectfully requests a **final thirty (30) day extension, until July 12, 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 are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Albert J. Cave 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 his caseload, counsel hopes that no further extension requests will be required.

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S.C. SUPREME COURT

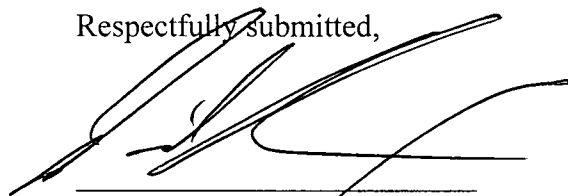
3. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Rodney Ladson v. State with this Court on May 30, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Vincent Missouri v. State with this Court on May 26, 2017. On May 22, 2017, counsel traveled to Horry County to appear as a witness pursuant to a subpoena in a PCR action. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Frank Saunders with the Court of Appeals on May 19, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of In The Matter of the Care and Treatment of David A. Ward with the Court of Appeals on May 19, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of In the Matter of the Care and Treatment of Daryl T. Snow with this Court on May 16, 2017. Counsel filed the brief of respondent in the case of State v. Brandon Garren with this Court on May 11, 2017. Counsel filed the brief of petitioner in the case of State v. Gerald Barrett with this Court on May 4, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Gerald Gadsden with the Court of Appeals on April 24, 2017. Counsel had an oral argument in the case of State v. Lorenzo Young on April 17, 2017, before the Court of Appeals. Counsel also was second chair in the **death penalty case** of Marion Bowman v. State which was argued on April 13, 2017, at this Court by the Chief Appellate Defender and counsel was heavily involved in the preparation for that argument. Counsel had an oral argument in the case of State v. James Allen Johnson before this Court on April 13, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Lee Dell Bradley with the Court of Appeals on March 31, 2017.

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

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 July 12, 2017**, 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,



David Alexander
Appellate Defender

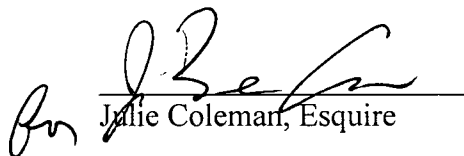
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 12th day of June, 2017.

I consent:



Julie Coleman, Esquire