

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Florence County

Honorable Edgar W. Dickson, Circuit Court Judge

ORIGINAL

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AUG 07 2017

S.C. SUPREME COURT
PETITIONER,

THOMAS EDWARD DAVIS,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2017-000105

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

Counsel for Thomas Edward Davis 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 Thomas Edward Davis 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 in State v. Stanley Moultrie with the Court of Appeals on August 1, 2017. Counsel filed the petition for writ of certiorari in Anthony Martin v. State with this court July 26, 2017. Counsel filed the petition for writ of certiorari in Samuel Brown, Jr. v. State with this court on July 13, 2017. Counsel filed the petition for writ of certiorari in Ortavious Mitchell v. State with this court July 3, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in In the matter of the care and treatment of Calvin Joe Miller with this Court on June 29, 2017. Counsel filed the initial brief of appellant in State v. Auston Breazeal with the Court of Appeals on June 23, 2017. Counsel had oral argument in the case of State v. Desmond Green with the Court of Appeals on June 21, 2017.

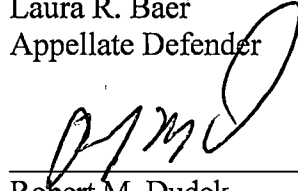
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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,



Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 7, 2017

Attorney for Petitioner

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Florence County
Honorable Edgar W. Dickson, Circuit Court Judge

THOMAS EDWARD DAVIS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

CERTIFICATE OF SERVICE

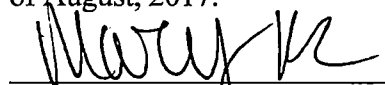
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Lindsey McCallister, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 7th day of August, 2017.



Laura R. Baer
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 7th day
of August, 2017.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2027