

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

AUG 23 2017

Certiorari to York County
Lee. S. Alford, Circuit Court Judge

S.C. SUPREME COURT

ISAIAS DIAZ GUTIERREZ,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001080

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

The undersigned counsel would respectfully request a thirty-day extension 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 one prior order of this Court.
2. Counsel filed the initial reply brief of appellant in the case of State v. Robert Davis Smith in the Court of Appeals on August 17, 2017. Counsel filed the reply to return to petition for writ of certiorari in the case of William McCladdie v. State in this Court on August 4,

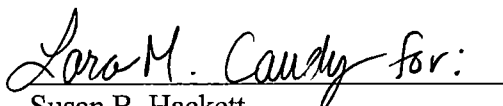
2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Keylan Durham in the Court of Appeals on August 3, 2017. Counsel spoke at the Summary Court Judge's Orientation on July 27, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Robert Reeves in the Court of Appeals on July 26, 2017. Counsel filed the Anders brief of appellant and Record on Appeal in the case of State v. Michael Paul Buckmon in the Court of Appeals on July 25, 2017. Counsel represented Thomas Shewtzuk at the reconstruction hearing in the case of State v. Thomas Robert Shewtzuk at the Dorchester County Courthouse on July 17, 2017. Counsel filed the return to motion to dismiss in the case of State v. Jake Lake in the Court of Appeals on July 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Chapman v. State in this Court on July 17, 2017. Counsel filed the petition for rehearing in the case of State v. Dennis E. Cervantes-Pavon in the Court of Appeals on July 13, 2017. Counsel filed the brief of petitioner In the Matter of the Care and Treatment of Kenneth Campbell in this Court on July 10, 2017. Counsel was a guest speaker at the Blues, BBQ & Bar CLE on July 7, 2017, in Greenwood, South Carolina, sponsored by the South Carolina Association of Criminal Defense Lawyers. Counsel filed the brief of petitioner in the case of State v. James Simmons, Jr. in this Court on July 6, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brittany Epps in the Court of Appeals on June 29, 2017. Counsel filed the petition for rehearing in the case of State v. Shane Adam Burdette in the Court of Appeals on June 22, 2017.

3. This request is made in good faith, and not for purposes of delay.

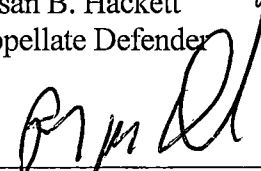
WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the

time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

August 23, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to York County

Lee. S. Alford, Circuit Court Judge

ISAIAS DIAZ GUTIERREZ,

PETITIONER,

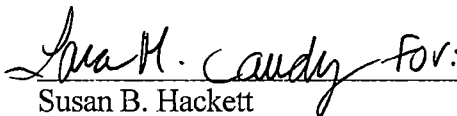
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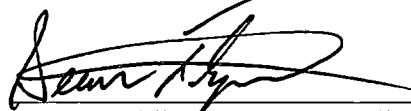
CERTIFICATE OF SERVICE

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 Julie Coleman, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 23rd day of August, 2017.


Susan B. Hackett
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 23rd day of August, 2017.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.