

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
Honorable Edward W. Miller, Circuit Court Judge

RECEIVED

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S.C. SUPREME COURT

GABRIEL JON RIOS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2017-001549

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

Counsel for appellant 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 appellant 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.

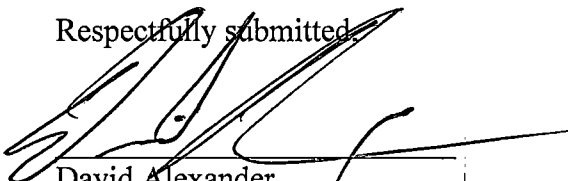
3. Counsel had oral arguments before this Court in the case of State v. Gerald Barrett on November 15, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of State v. Lorenzo Bernard Young with this Court on November 13, 2017. Counsel filed the initial reply brief in the case of State v. Robin Renee Herndon with the Court of Appeals on November 9, 2017. Counsel had oral arguments before the Court of Appeals in the case of State v. Bobby Randolph Sims on November 8, 2017. Counsel attended a conference in Boston, Massachusetts on civil commitment for sexual offenders on November 3 – 5, 2017. On November 1, 2017, counsel appeared before the Honorable R. Knox McMahon on a remand from the Court of Appeals in the case of State v. Courtney L. Price. Counsel filed the petition for rehearing in the case of State v. Vincent Missouri with the Court of Appeals on October 31, 2017. Counsel filed the brief of respondent in the case of State v. Jimmy Turner with this Court on October 30, 2017. Counsel assisted Chief Appellate Defender Robert M. Dudek in doing research for the petition for writ of certiorari to the Supreme Court of the United States in the death penalty case of The State v. Ricky Lee Blackwell filed on October 27, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jamal Daniels with the Court of Appeals on October 23, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Homer Arthur James with the Court of Appeals on October 20, 2017. Counsel filed the brief of petitioner in the case of State v. Corey Jamal Williams with this Court on October 9, 2017. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Kenneth Samuel Williams v. State with this Court on October 6, 2017. Counsel was a speaker at a Post-Conviction Relief CLE on September 29, 2017, at the office of the Commission on Indigent Defense. Counsel attended the state Public Defender Convention in Myrtle Beach,

South Carolina on September 25 – 27, 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 Anthony Vincent Tucker with the Court of Appeals on September 18, 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 Michael Fulton with the Court of Appeals on September 12, 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.

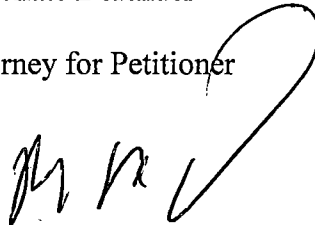
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



David Alexander
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 15th day of November, 2017

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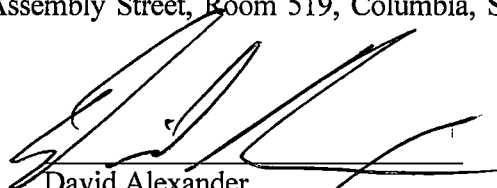
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CERTIFICATE OF SERVICE

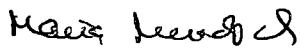
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Valerie Giovanoli, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 15th day of November, 2017.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

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

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.