

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

Certiorari to Sumter County

Brian M. Gibbons, Circuit Court Judge

RECEIVED

DEC 06 2017

JAMES EARNEST BUTLER,

S.C. SUPREME COURT
PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001197

**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:

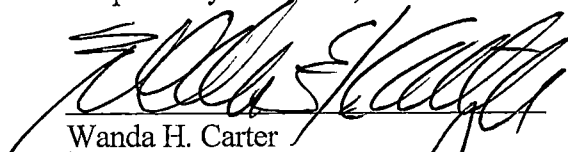
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tavish Dominique Yeargin v. State in the Court of Appeals on

November 28, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Javan Frederick Mays v. State in this Court on November 27, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael E. Hyatt v. State in this Court on November 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Kendris Brown v. State in this Court on November 6, 2017. Counsel filed the Anders brief of appellant and designation of matter along with the Record on Appeal in the case of State v. Joseph Carpenter in the Court of Appeals on November 6, 2017. Counsel filed the Anders brief of appellant and designation of matter along with the Record on Appeal in the case of State v. Chad Roberts Kozloski in the Court of Appeals on October 20, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marcus Bell v. State in this Court on October 16, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Ronald Brown v. State in this Court on October 16 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Alton Crosby in the Court of Appeals on October 4, 2017.

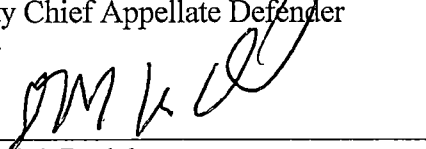
3. This request is made in good faith, and not for purposes of delay.

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,



Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 6, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Sumter County

Brian M. Gibbons, Circuit Court Judge

JAMES EARNEST BUTLER,

PETITIONER,

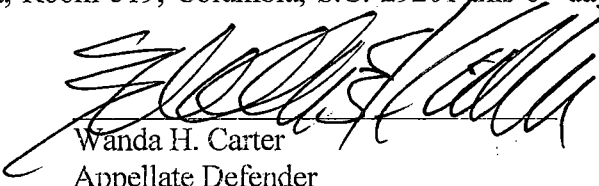
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

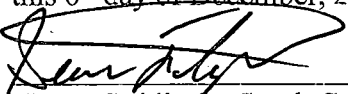
CERTIFICATE OF SERVICE

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 Julie Coleman, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, S.C. 29201 this 6th day of December, 2017.


Wanda H. Carter
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 6th day of December, 2017.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022.