

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Cherokee County  
Robin B. Stilwell, Circuit Court Judge

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LEE EDWARD TATE,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001304

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

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Counsel for Lee Edward Tate 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 and writ of certiorari and appendix are due to be served and filed with the Court today.

2. Counsel for Lee Edward Tate 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.

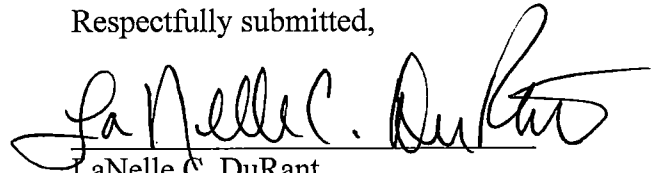
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S.C. SUPREME COURT  
PETITIONER

3. Counsel filed the petition for rehearing in the case of The State v. Michael Antonio Williams with the Court of Appeals on November 29, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Lance Leon Miles with the Supreme Court on November 14, 2017. Counsel had an oral argument in the case of The State v. Keyon Robinson before the Court of Appeals on November 8, 2017. Counsel had an oral argument before the court of Appeals in the case of The State v. Antwan J. Jett on November 7, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Ward with the Court of Appeals on November 3, 2017. Counsel filed the petition for writ of certiorari and the petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Dennis Wright v. The State with the Supreme Court on October 24, 2017. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Eric Spears with the Supreme Court on October 19, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Demario Monte Thompson with the Supreme Court on October 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Umar Abdul Clea v. The State with the Supreme Court on October 12, 2017. Counsel had an oral argument in the case of The State v. Johnny Neal Sexton, II with the Court of Appeals on October 4, 2017.

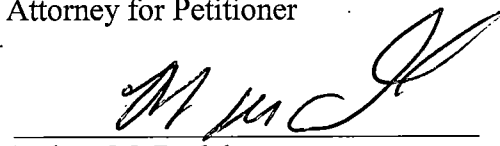
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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,

  
LaNelle C. DuRant  
Appellate Defender

Attorney for Petitioner

  
Robert M. Dudek  
Chief Appellate Defender

This 6<sup>th</sup> day of December.

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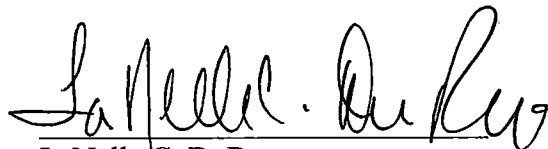
RESPONDENT

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CERTIFICATE OF SERVICE

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I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Valerie Garcia Giovanoli, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 6th day of December, 2017.



LaNelle C. DuRant  
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me  
this 6<sup>th</sup> day of December, 2017.

 (L.S.)  
Notary Public for South Carolina

My Commission Expires: July 5, 2027.