STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

ORIGINAL

Certiorari to Aiken County

Robert E. Hood, Circuit Court Judge

RECEIVED
DEC 13 2017
S.C. SUPREME COURT

ALBERT JAMES CAVE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001533

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

The undersigned counsel respectfully requests a **final thirty day extension, until January 12, 2018,** in which to file the petition for writ of certiorari and accompanying appendix in the above–referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.

2. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of David A. Pate v. The State of South Carolina with the Supreme Court on December 11, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Kevin Daniel Driggers with the Court of Appeals on December 8, 2017.

Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jamie L. Strom with the Court of Appeals on November 29, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Christopher Jermaine Wells with the Court of Appeals on November 22, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Kristopher Wilmont Berry with the Supreme Court on November 17, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Elijah A. Brown with the Supreme Court on November 16, 2017. Counsel filed the Return to Petition for Writ of Certiorari in the case of The State of South Carolina v. Robert Eugene Shaver with the Supreme Court on November 15, 2017. Counsel had an oral argument in the case of The State v. Stephen Smalls before this Court on November 14, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Demetrius D. Smalls with the Supreme Court on November 13, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Timothy Donald Dingle with the Supreme Court on November 13, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Michael N. Frasier with the Court of Appeals on November 7, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jose Reyes Reyes with the Court of Appeals on November 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Kevin Shane Epting with the Supreme Court on October 30, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of The State of South Carolina v. Preston Ryan Oates with the Supreme Court on October 2, 2017. Counsel filed the Petition for Writ of Certiorari and

Appendix in the case of The State of South Carolina v. Jalon Ted Taylor with the Supreme Court on October 2, 2017.

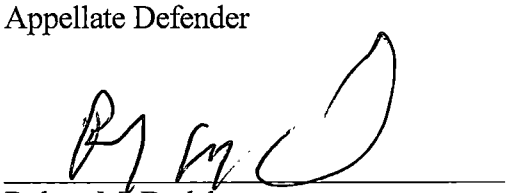
3. As indicated by her consent below, counsel for the state does not oppose this request.

4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until January 12, 2018**, in which to file the petition for writ of certiorari and accompanying appendix. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,

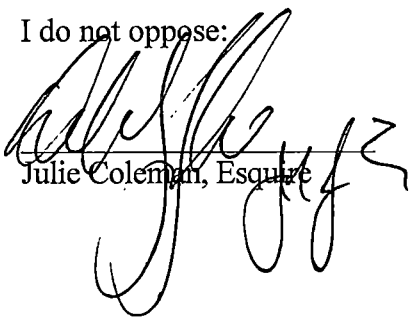
Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 13, 2017

I do not oppose:



Julie Coleman, Esquire