

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Honorable R. Ferrell Cothran, Circuit Court Judge

TOBY EUGENE MOORE,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001360

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

The undersigned counsel respectfully requests a thirty day extension 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 petition for writ of certiorari and accompanying appendix in the case of Dantonyo Andropulis Heath v. The State with the Supreme Court on December 12, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry

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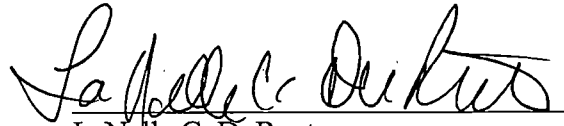
PETITIONER,
S.C. SUPREME COURT

Lee Dickey v. The State with the Supreme Court on December 6, 2017. 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.

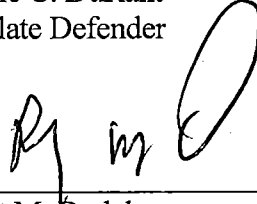
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension. 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,



LaNelle C. DuRant
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

December 13, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Spartanburg County

Honorable R. Ferrell Cothran, Circuit Court Judge

TOBY EUGENE MOORE,

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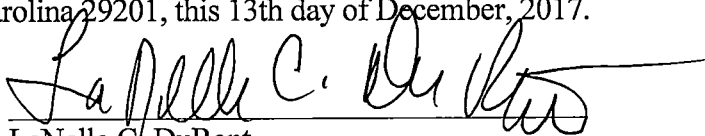
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001360

CERTIFICATE OF SERVICE

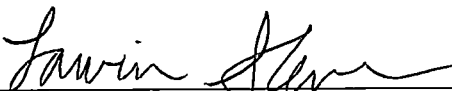
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Valerie Garcia Giovanoli, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 13th day of December, 2017.



LaNelle C. DuRant
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 13th day of December, 2017.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 5, 2027.