

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

JAN 05 2018

S.C. SUPREME COURT

Certiorari to Sumter County

Brian M. Gibbons, Circuit Court Judge

JAMES EARNEST BUTLER,

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 **final thirty-day extension, until February 5, 2018**, 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:

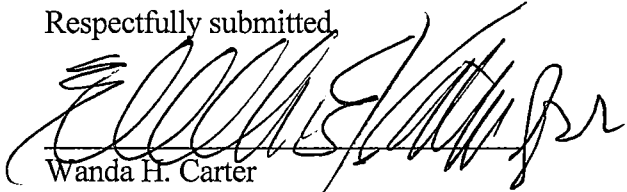
1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.
2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Fulwiley in the Court of Appeals on January 2, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David

Tyre v. State in this Court on December 27, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lorenzo Inman v. State in this Court on December 18, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Williamson v. State in this Court on December 18, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Andre Massey v. State in this Court on December 12, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Dennis Kennedy in the Court of Appeals on December 6, 2017. 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.

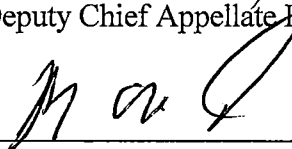
3. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until February 5, 2018**, 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,



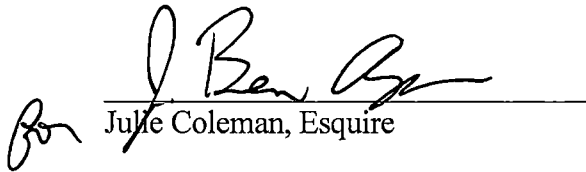
Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

January 5, 2018

I DO NOT OPPOSE:



Julie Coleman, Esquire