

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Horry County

Roger E. Henderson, Circuit Court Judge

MICHAEL A. LIVINGSTON,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001739

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

Counsel respectfully requests a **final extension of thirty (30) days until March 28, 2018**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix is due to be served and filed with the Court today.
2. Counsel respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted

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and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

3. Counsel argued in the case of State v. Paula Rose in the Court of Appeals on February 5, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Johnell Porter v. State with this Court on February 2, 2018. Counsel filed the Anders brief of Appellant and designation of matter in the case of State v. Quasean David Marshall in the Court of Appeals on February 1, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Carisa Weaver-Lawrence with the Court of Appeals on January 31, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of Dominique Roscell Johnson v. State with this Court on January 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Craig Allen Carroll with the Court of Appeals on January 29, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Manuel Rashon Jeter with this Court on January 26, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. James Dawkins with this Court on January 16, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Wayne Couey with this Court on January 2, 2018. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Yanisha C. Barr with this Court on December 18, 2017. Counsel argued in the case of State v. James Clyde Dill, Jr., in this Court on December 13, 2017. Counsel filed the petition for writ of certiorari and appendix in the case of The State v. Jimmy Gallishaw with this Court on December 13, 2017.

4. Counsel makes this request in good faith and not for purpose 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.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

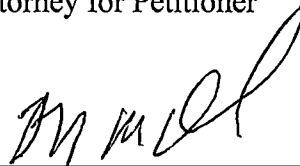
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until March 28, 2018**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Taylor Gilliam
Appellate Defender

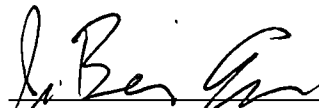
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 26th day of February, 2018.

I Consent:


Johnny James, Jr.