

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENWOOD COUNTY

Frank R. Addy, Jr., Circuit Court Judge

Case No.2015-000980

RECEIVED
JUN 01 2018
SC Court of Appeals

The State,Respondent,

v.

Tavarious Settles,Appellant.

MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR REHEARING

Appellant Tavarious Settles respectfully moves this Court for an extension of time in which to file his Petition for Rehearing pursuant to Rules 221(a) and 240, SCACR. In support of this Motion, Appellant states as follows:

1. This Court filed an unpublished opinion in the above-captioned matter, No. 2018-UP-214, on May 23, 2018, affirming Appellant’s conviction.
2. A petition for rehearing is due to be filed on or before June 7, 2018. Counsel for Appellant Settles respectfully requests an extension of time of thirty (30) days within which to file a Petition for Rehearing. The basis for Appellant’s request is Appellant’s Counsel’s work schedule conflicts with the current due date for the petition.
3. This request is made in good faith, and not for purposes of delay.

✓

4. If the Court grants this request, Counsel for Appellant calculates that the new due date will be July 7, 2018, which is a Saturday, and thus, Appellant will have until July 9, 2018 in which to file a Petition for Rehearing.

4. Counsel for Appellant has consulted with Counsel for the State, and I am authorized to report that the State does not oppose this request.

Counsel for Appellant Mr. Settles therefore respectfully requests that the Court grant this Motion and extend the time for filing a Petition for Rehearing until July 9, 2018.

Respectfully submitted,



John W. Roberts
WILLOUGHBY & HOEFER, P.A.
Post Office Box 8416
Columbia, South Carolina 29202-8416
(803) 252-3300

Robert M. Dudek
Chief Appellate Defender
**SOUTH CAROLINA COMMISSION ON
INDIGENT DEFENSE**
1330 Lady Street, Suite 401
Columbia, South Carolina 29201
(803) 734-1330

Counsel for Appellant
Tavarious Settles

Columbia, South Carolina
June 1, 2018

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 01 2018

SC Court of Appeals

APPEAL FROM GREENWOOD COUNTY

Frank R. Addy, Circuit Court Judge

Appellate Case No. 2015-000980

The State,Respondent,

v.

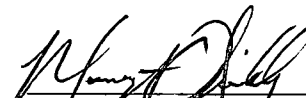
Tavarious Settles,Appellant.

Proof of Service

This is to certify that I, a legal assistant with the law firm Willoughby & Hoefer, P.A., have caused to be served this day one (1) copy of the **Motion for Extension of Time** to file the Petition for Rehearing by U.S. Mail to the following:

Robert M. Dudek
Chief Appellate Defender
SOUTH CAROLINA COMMISSION ON
INDIGENT DEFENSE
1330 Lady Street, Suite 401
Columbia, South Carolina 29201

Caroline M. Scrantom
Assistant Attorney General
South Carolina Attorney General's Office
Post Office Box 11549
Columbia, S.C. 29211


Margaret O. Shields

Columbia, South Carolina
This 1st day of June 2018

WILLOUGHBY & HOEFER, P.A.
ATTORNEYS & COUNSELORS AT LAW

MITCHELL M. WILLOUGHBY
JOHN M.S. HOEFER
RANDOLPH R. LOWELL**
TRACEY C. GREEN
BENJAMIN P. MUSTIAN**
ELIZABETH ZECK*
ELIZABETHANN LOADHOLT CARROLL
CHAD N. JOHNSTON
JOHN W. ROBERTS
R. WALKER HUMPHREY, II***
CHRISTOPHER M. CAMPBELL
ANDREW R. HAND****

ELIZABETH S. MABRY
JAMES PATRICK HUDSON
OF COUNSEL

JOSEPH H. FARRELL, III
SPECIAL COUNSEL

*ALSO ADMITTED IN TEXAS

**ALSO ADMITTED IN WASHINGTON, D.C.

***ALSO ADMITTED IN CALIFORNIA

****ALSO ADMITTED IN NORTH CAROLINA

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *The State v. Tavarious Settles*;
Appellate Case No. 2015-000980

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the **Motion for Extension of Time** to file the Petition for Rehearing of the Court's May 23, 2018 Opinion, No. 2018-UP-214, of Appellant Tavarious Settles, along with a Certificate of Service. Please file-stamp the extra copy and return it via my courier.

Thank you for your time and consideration. If you have any questions or if you need any additional information, please do not hesitate to contact me.

Very truly yours,

WILLOUGHBY & HOEFER, P.A.

John

John W. Roberts

Enclosures

cc: Robert M. Dudek, Esquire
Caroline M. Scrantom, Esquire

RECEIVED
JUN 01 2018
SC Court of Appeals

OFFICES:

COLUMBIA

930 RICHLAND STREET
P.O. BOX 8416
COLUMBIA, SC 29202-8416

AREA CODE 803
TELEPHONE 252-3300
FAX 256-8062

CHARLESTON

151 MEETING STREET
SUITE 325
P.O. Box 10
CHARLESTON, SC 29402

AREA CODE 843
TELEPHONE 619-4426
FAX 619-4430

June 1, 2018