

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Anderson County

Honorable Jocelyn J. Newman, Circuit Court Judge

JOSE L. CABARRUVIAS,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2017-002516

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

Counsel for Jose L. Cabarruvias respectfully requests a **final thirty (30) day extension, until September 17, 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. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel for Jose L. Cabarruvias respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage his caseload, counsel hopes that no further extension requests will be required.

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S.C. SUPREME COURT
PETITIONER,

3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Courtney Price with the Court of Appeals on August 2, 2018. Counsel filed the brief of petitioner in the case of Isaac Starke v. The State with this Court on August 1, 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 Gary Lee Burris with the Court of Appeals on July 31, 2018. On July 26, 2018, counsel spoke at the Orientation School for Magistrate and Municipal Judges. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Calvin Brown, Jr. with this Court on July 25, 2018. Counsel filed the return to petition for writ of certiorari and accompanying appendix in the case of Gregory Vincent Smith v. The State with this Court on July 13, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Randall Earl Sightler v. The State with this Court on July 3, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Gerald Rudell Williams with this Court on June 21, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Ricky Welch v. The State with this Court on June 18, 2018.

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

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

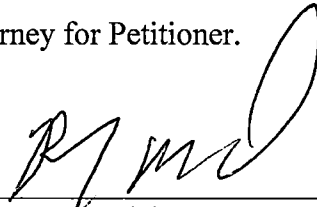
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until September 17, 2018**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

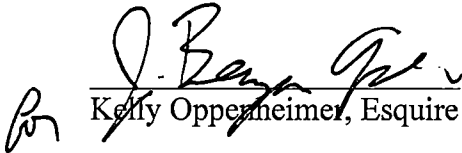
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 17th day of August, 2018.

I consent:



Kelly Oppenheimer, Esquire