

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County

Honorable William H. Seals, Circuit Court Judge

GABRIEL LEE GRATTO,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

RESPONDENT

Appellate Case No. 2018-001146

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

Counsel for appellant respectfully requests an extension of thirty (30) days 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 second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for appellant 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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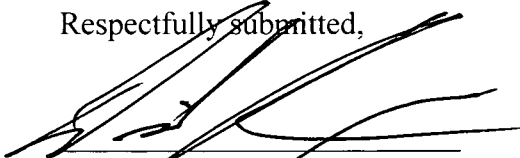
3. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Henry James Fickling, Jr. with the Court of Appeals on December 18, 2018. Counsel filed the petition for writ of certiorari in the case of The State v. Terrance Johnson with this Court on December 18, 2018. Counsel filed the brief of respondent in the case of The State v. Vladimir Pantovich with this Court on December 17, 2018. Counsel filed the petition for writ of certiorari in the case of The State v. Michael Juan Smith with this Court on December 10, 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 Jimmy Ray Filyaw with the Court of Appels on December 10, 2018. Counsel had an oral argument in the case of The State v. Maurice Marshall Harris before the Court of Appeals on December 5, 2018. Counsel had an oral argument in the case of The State v. Aaron Van Hendrix before the Court of Appeals on December 3, 2018. Counsel had an oral argument in the case of The State v. Maurice Harris before the Court of Appeals on December 5, 2018. On November 30, 2018, Counsel participated in an Appellate Practice Project CLE at the Bar Conference Center in Columbia. Counsel had an oral argument in the case of In The Matter of the Care and Treatment of Daryl T. Snow before this Court on November 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Adams with the Court of Appeals on November 26, 2018. Counsel filed the brief of appellant in the case of The State v. Jamal Marquis Daniels with the Court of Appeals on November 19, 2018. Counsel filed the initial brief of petitioner in the case of The State v. Gerald Williams with this Court on November 16, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Derrick Porter with the Court of Appeals on November 14, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Chadwick Cribb v. The State with this Court on November 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the

case of The State v. Quadrik Willis with the Court of Appeals on November 7, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Wilson v. The State with this Court on November 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyrone Robinson with the Court of Appeals on November 2, 2018.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

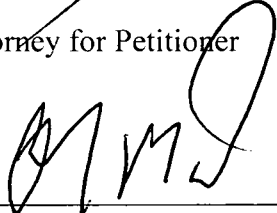
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



David Alexander
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 27th day of December, 2018

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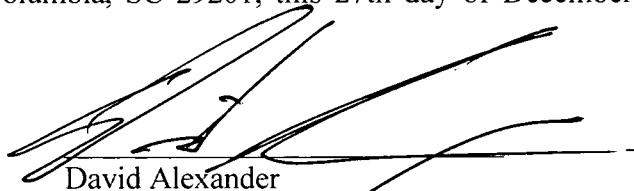
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CERTIFICATE OF SERVICE

I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Johnny E. James, Jr., Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 27th day of December, 2018.



David Alexander
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this
27th day of December, 2018.

Carstrun Powers (L.S.)

Notary Public for South Carolina
My Commission Expires: May 2, 2027.