

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Horry County

Honorable William H. Seals, Circuit Court Judge

ORIGINAL

GABRIEL LEE GRATTO,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

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 Gabriel Lee Gratto respectfully requests a **final thirty (30) day extension, until February 27, 2019**, 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 Gabriel Lee Gratto 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.

3. Counsel filed the petition for writ of certiorari in the case of The State v. Jovan Mitchell with this Court on January 22, 2019. Counsel filed the petition for writ of certiorari in the case of The State v. Timothy Beheler with this Court on January 22, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Peter Coffey with the Court of Appeals on January 9, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Michael Seals with the Court of Appeals on January 3, 2019. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyshun Bessellieu with the Court of Appeals on January 2, 2019. Counsel filed the brief of respondent in the case of Eugene Austin Gardner, III v. The State with this Court on December 31, 2018. Counsel filed the petition for rehearing in the case of The State v. Robin Herndon with the Court of Appeals on December 21, 2018. 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

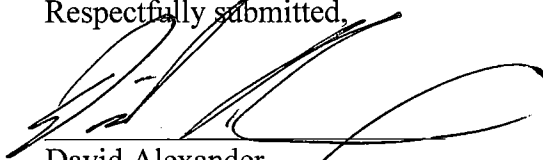
Conference Center in Columbia. Counsel had an oral argument in the case of In The Matter of the Care and Treatment of Daryl T. Snow before this Court on November 29, 2018.

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.

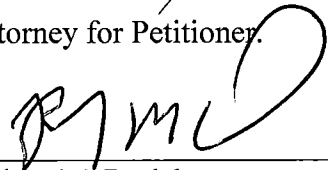
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 27, 2019**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

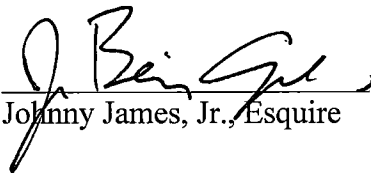
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 28th day of January, 2019.

I consent:


Joanny James, Jr., Esquire