

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE SUPREME COURT

Certiorari to Horry County

Larry B. Hyman, Jr., Circuit Court Judge

RECEIVED

FEB 17 2012

S.C. Supreme Court

ROGER S. LEGETTE,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

(2)

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

Counsel for Roger Legette 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 is due to be served and filed with the Court today. The Court has granted one previous extension.
2. Counsel for Mr. Legette 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. On February 16, 2012, counsel had an oral argument in the case of State v. Shawn Miller in the Court of Appeals. On February 13, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Stanqwaner Wiggins in the Court of Appeals. On February 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rico Brown in the Court of Appeals. On February 7, 2012, counsel had an oral argument in the case of State v. Joey Ellis in this Court. On February 6, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Ronald McCauley in the Court of Appeals. On January 30, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Raymond Flores in the Court of Appeals. On January 27, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Johnson in the Court of Appeals. On January 25, 2012, counsel had an oral argument in the case of State v. Phillip Coker in the Court of Appeals. On January 23, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Cordelle Washington in the Court of Appeals. On January 19, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Azikiwe Archie in the Court of Appeals. On January 17, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Parsons in the Court of Appeals. On January 12, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Henry Ross in the Court of Appeals. On January 9, 2012, counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Elliott in the Court of Appeals.

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 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Breen R. Stevens", with a long horizontal flourish extending to the right.

Breen R. Stevens
Appellate Defender

Attorney for Petitioner

STATE OF SOUTH CAROLINA

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CERTIFICATE OF SERVICE

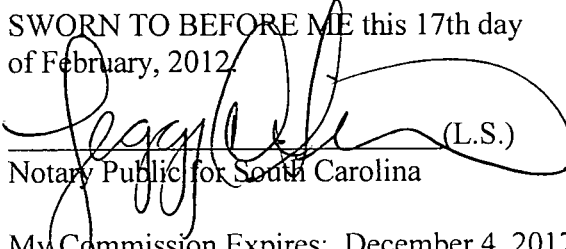
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Christina Catoe, Esquire, this 17th day of February, 2012.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 17th day
of February, 2012.



(L.S.)
Notary Public for South Carolina

My Commission Expires: December 4, 2017.