

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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MAY 20 2013

Certiorari to Horry County

Steven H. John, Circuit Court Judge

S.C. Supreme Court

Opinion No. 2013-UP-062 (S.C. Ct. App. filed 1/30/2013)

07-GS-26-2974,2975, 2976

THE STATE,

RESPONDENT,

V.

CHRISTOPHER M. STEPHENS,

PETITIONER

Appellate Case No. 2013-000793

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a **final thirty-day extension, until June 19, 2013**, in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by one prior order of this Court.

2. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Bobby McCann in the Court of Appeals on May 17, 2013. Counsel had an oral argument in the case of State v. William Brockmeyer, where he is Counsel with Miles Coleman and Matt Bogan of Nelson Mullins Riley & Scarborough, LLP, in this Court on May 15, 2013. In addition, Counsel had oral arguments in the cases of State v. Robert C. Johnson and State v. Andre Richardson in the Court of Appeals on May 14, 2013. Counsel filed the initial reply brief of appellant in the case of State v. Jamaal Hinson, with Co-Counsel Reid Sherard of Nelson Mullins Riley & Scarborough, LLP, in the Court of Appeals on May 8, 2013. In addition, Counsel filed the petition for rehearing in the case of In the Interest of David L., a Minor Under the Age of Seventeen, with Co-Counsel E. Charles Grose, Jr., in this Court on May 8, 2013. Counsel filed the return to the petition for writ of certiorari in the case of Craig Brannon v. State in this Court on May 6, 2013. Counsel filed the petition for rehearing in the case of State v. Andre Tayson Boone in the Court of Appeals on May 1, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Mark Peters in the Court of Appeals on April 26, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Victor White in the Court of Appeals on April 24, 2013. Counsel filed the petitioner's reply brief in the case of Gene Tony Cooper v. State in the United States Supreme Court on April 23, 2013. Counsel had an oral argument in the case of In the Interest of David L., a Minor Under the Age of Seventeen (with co-counsel Charles Grose) in this Court on April 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jevon Brown in the Court of Appeals on April 10, 2013. Counsel filed the petition for

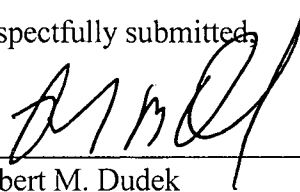
rehearing in the **death penalty** case of State v. Brad Sigmon in this Court on April 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Asherdon Holloway in the Court of Appeals on April 3, 2013. Counsel had an oral argument in the case of State v. Andre Tayson Boone in the Court of Appeals on April 1, 2013. In addition, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Frankie Williams v. State in this Court on April 1, 2013. Counsel attended and presented at the Best Practices Seminar in Charleston on March 25, 2013, sponsored by the South Carolina Commission on Indigent Defense. Counsel filed the initial briefs of appellant and designations of matter in the cases of State v. Calvin Prince and State v. Patrick Guess in the Court of Appeals on March 18, 2013. Counsel filed the return to the state's rehearing petition in the **death penalty** case of State v. Raymondeze Rivera in this Court on March 15, 2013. Additionally on March 15, 2013, Counsel filed the brief of appellant in the case of State v. Nicholas Brannon in the Court of Appeals. Counsel filed the petition for rehearing in the **death penalty** case of State v. Stephen Christopher Stanko in this Court on March 14, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Phillip Shuler in the Court of Appeals on March 8, 2013. Counsel filed the petition for rehearing in the case of State v. Kendrick Taylor in the Court of Appeals on March 7, 2013. Counsel had an oral argument in the case of State v. Donald Petty in the Court of Appeals on March 5, 2013. Counsel had an oral argument in the case of State v. Gerald Pitts in the Court of Appeals on March 4, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Derrick McDonald, and the reply to the return to the petition for writ of certiorari in the case of State v. Randy Vickery, both in

this Court (from the COA) on March 1, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

3. This request is made in good faith, and not for purposes 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.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until June 19, 2013**, in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender

May 20, 2013

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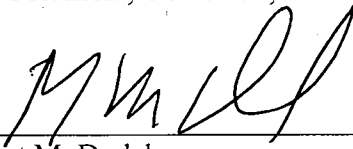
CHRISTOPHER M. STEPHENS,

PETITIONER

Appellate Case No. 2013-000793

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies the petition in which to file the petition for writ of certiorari and appendix in the above referenced case has been served upon William Edgar Salter, III, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, and the S.C. Court of Appeals this 20th day of May, 2013.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 20th day of May, 2013.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 2, 2013