

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Anderson County

R. Lawton McIntosh, Circuit Court Judge

RECEIVED

JUN - 6 2013

S.C. Supreme Court

DEREK S. CARTER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2012-213168

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

Counsel for Derek S. Carter respectfully requests an extension of **seven (7) days until June 14, 2013** 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 fourth request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed with the Court on June 7, 2013. The Court has granted counsel three previous extensions.

2. Counsel for Derek S. Carter 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 her caseload, counsel hopes that no further extensions will be required.

3. This case was previously assigned to Dayne Phillips, whose last day with the Appellate Division was Friday, April 5, 2013. Undersigned counsel has assumed Mr. Phillip's caseload effective April 9, 2013, and has been reassigned to handle the present case. Mr. Phillips had previously prepared the appendix in this case; however, upon the undersigned counsel's review of the appendix, it was apparent several necessary and required documents were omitted. Undersigned counsel is currently in the process of obtaining the necessary documents to include in the appendix.

4. Counsel is also planning to file the initial appellant brief and designation of matter in the case of The State v. James Tyner in the Court of Appeals on June 7, 2013. Counsel had an oral argument in the case of The State v. David Tyre in the Court of Appeals on June 5, 2013. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Bobby M. Shaw v. The State with this Court on June 5, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Curtis McKie with the Court of Appeals on May 29, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Andre Green with the Court of Appeals on May 28, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jamario Q. Jones with the Court of Appeals on May 20, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antonio Lee Dodd with the Court of Appeals on May 16, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Erick E. Hewins in the Court of Appeals on May 13, 2013. Counsel had an oral argument in the case of State v. Michael Avery Humphrey in the Court of Appeals on May 8, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of

State v. Marcus Daniel Allison in the Court of Appeals on May 6, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of and Gary Waiters v. State in this Court on May 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mable Lee-Bey v. State in this Court on May 1, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jerry Whitfield v. State in this Court on April 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Donald Anderson in the Court of Appeals on April 19, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric LaGeorge Mouzon v. State in this Court on April 16, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Little Johnny Lee Mackey v. State in this Court on April 12, 2013.

4. As indicated by his consent below, counsel for the state does not oppose this request.

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

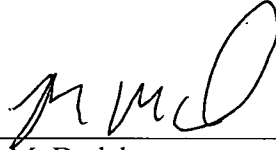
WHEREFORE, the undersigned counsel would respectfully request a **final seven (7) day extension of time until June 14, 2013** in which to file the petition for writ of certiorari and appendix based upon the above exigent circumstances. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

[signatures on following page]

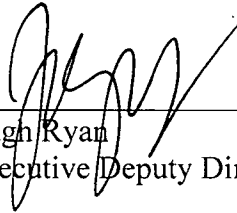
Respectfully submitted,



Carmen V. Ganjehsani
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



Hugh Ryan
Executive Deputy Director

June 6, 2013

I do not oppose:



John Walt Whitmire