

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

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Certiorari to Richland County

J. Ernest Kinard, Jr., Circuit Court Judge  
\_\_\_\_\_

RECEIVED

JUL - 3 2013

S.C. Supreme Court

SOLOMON SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000254

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

Counsel respectfully requests a **final extension of thirty (30) days until August 2, 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 third 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, July 3, 2013.
2. Counsel 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.

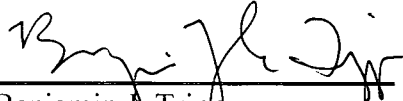
3. This case was assigned to Breen Stevens, whose last day with the Appellate Division was Friday, May 24, 2013. Undersigned counsel assumed Mr. Stevens' caseload effective May 28, 2013, and has been reassigned to handle the present case. On June 28, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Joy Mack v. State with this Court; and counsel filed an Anders brief of appellant and record on appeal in State v. Jamaal Riley with the Court of Appeals. On June 26, 2013, counsel filed a Johnson petition for writ of certiorari and accompanying appendix on State v. Brandon Lav'ar Johnson with this Court. On June 3, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Howard Thompson, III v. State with this Court. On May 31, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Charles Gamble v. State with this Court.

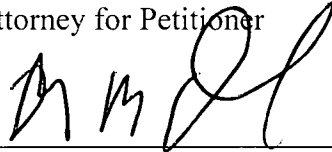
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until August 2, 2013**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

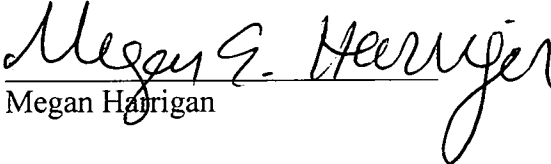
Respectfully submitted,

  
\_\_\_\_\_  
Benjamin J. Tripp  
Appellate Defender

Attorney for Petitioner  
  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 3rd day of July, 2013

I Consent:

  
\_\_\_\_\_  
Megan Harrigan