

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Richland County

L. Casey Manning, Circuit Court Judge

RECEIVED

AUG - 9 2013

S.C. Supreme Court

SHARON SMITH,

RESPONDENT,

V.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2012-213022

PETITION FOR EXTENSION TO FILE THE
RETURN TO THE PETITION FOR WRIT OF CERTIORARI

The undersigned counsel respectfully requests a **final thirty day extension, until September 9, 2013**, in which to file the return to the petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The return to the petition for writ of certiorari in this case is due to be served and filed today.
2. Counsel filed both the initial brief of appellant and designation of matter, and the initial brief of respondent and designation of matter, in the cross-appeal case of State v. Anthony Blakney in the Court of Appeals on August 7, 2013. Counsel filed the initial brief of appellant

(three issue merits brief) and designation of matter in the case of State v. Jason Bauman in the Court of Appeals on August 2, 2013. Counsel filed a petition for writ of habeas corpus in this Court's original jurisdiction and accompanying appendix with Co-Counsel David Alexander and Susan Hackett in the case of State v. Curtis Simms in this Court on August 1, 2013. Counsel went to Allendale Correctional Institution to meet with Juan Orozco regarding the case of State v. Juan Orozco in this Court on July 31, 2013. Counsel filed the brief of petitioner in the **death penalty** case of John Edward Weik v. State in this Court on July 30, 2013. Counsel is working on the case of Marion Bowman v. State, a **death penalty** case in this Court with a 10,000 page appendix. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Thomas in the Court of Appeals on July 24, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Robert Wayne Mitchell in the Court of Appeals on July 19, 2013. Counsel filed the initial brief of appellant and designation of matter in the murder case of State v. Edward W. Stackhouse, as well as the petition for rehearing in the case of State v. Manuel Antonio Marin, with Co-Counsel David Alexander, both in the Court of Appeals on July 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Richey Lamont Boyd in the Court of Appeals on July 12, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the **death penalty** case of State v. Stephen Stanko in the United States Supreme Court on July 2, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Derell Green in the Court of Appeals on June 28, 2013. Counsel filed the brief of petitioner in the case of State v. Beulah Butler in this Court on June 24, 2013. Counsel had an oral argument in the case of State v. Anthony Wade in this Court on June 19, 2013. Additionally, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Christopher M. Stephens

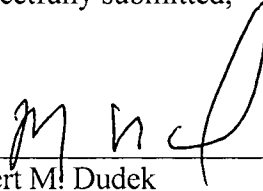
(from the COA) in this Court on June 19, 2013. Counsel filed a motion to appoint outside counsel in the case of Domonique Brown v. State in this Court on June 13, 2013. Counsel had an oral argument in the case of In the Interest of Brandon M., a Minor in the Court of Appeals on June 11, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Osles Cunningham in the Court of Appeals on June 10, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Antonio Miller, as well as the petition for rehearing in the case of State v. Kendrick Taylor, both in the Court of Appeals on June 6, 2013. Counsel had an oral argument in the case of State v. Charles Pennell in the Court of Appeals on June 5, 2013. In addition, Counsel filed the return to the motion for outside counsel in the **death penalty** case of Freddie Owens v. State, and the notice of supplemental authority in the **death penalty** case of James Roberson v. State, both in this Court on June 5, 2013. Counsel had oral arguments in the cases of State v. Dondre Scott and State v. Rashaun Sobers in the Court of Appeals on June 4, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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

4. 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 September 9, 2013**. Counsel respectfully requests that the time limits for filing the return to the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



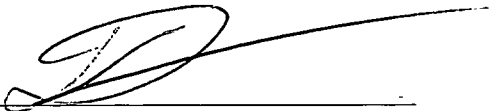
Robert M. Dudek
Chief Appellate Defender



T. Patton Adams, IV
Executive Director or
J. Hugh Ryan, III
General Counsel

August 9, 2013

I do not oppose:



David Spencer