

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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SEP 19 2013

S.C. Supreme Court

Certiorari to Spartanburg County
J. Derham Cole, Circuit Court Judge

ANTROWN A. IRBY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000954

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

Counsel respectfully requests a thirty day extension in which to file the petition for writ of certiorari 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, September 19, 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 September 18, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Omar Singleton v. State with this Court. On September 16, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Shawn Leonard Glennon v. State with this Court. On September 13, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Carl Chaplin with the Court of Appeals. On September 12, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Dustin Williams v. State with this Court. On August 30, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Demarco Bell v. State with this Court. On August 29, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Mackail Dawkins v. State with this Court. On August 23, 2013, counsel filed a brief of appellant and record on appeal in State v. Whitney Span with the Court of Appeals. On August 13, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Donald E. Brown v. State with this Court. On August 2, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Solomon Smith v. State with this Court. On July 31, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Kenneth Odell Jackson with the Court of Appeals. On July 26, 2013, counsel filed a brief of appellant and record on appeal in State v. Frederick Flowers with the Court of Appeals. On July 22, 2013 counsel filed a petition for writ of certiorari and accompanying appendix in John G. Kimble v. State with this Court. On July

19, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Michael C. Andes with 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 in this case based upon the above exigent circumstances.

Respectfully submitted,



Benjamin J. Tripp
Appellate Defender

Attorney for Petitioner

September 19, 2013

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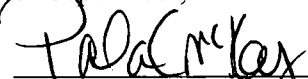
CERTIFICATE OF SERVICE

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 Suzanne H. White, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 19th day of September, 2013.


Benjamin J. Tripp
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 19th day
of September, 2013

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.