

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_

Certiorari to Marlboro County

Brooks P. Goldsmith, Circuit Court Judge

\_\_\_\_\_

RECEIVED

OCT 21 2013

S.C. Supreme Court

CLARENCE KENDALL COOK,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000366

\_\_\_\_\_

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

\_\_\_\_\_

The undersigned counsel respectfully requests a thirty-day extension in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The petition for writ of certiorari and accompanying appendix in this case are due to be served and filed today.
2. On Wednesday, October 16, 2013, counsel had an oral argument in the South Carolina Supreme Court in the case of State v. Lawrence Burgess. On Wednesday, October 9, 2013,

counsel filed petition for writ of certiorari and accompanying appendix in the case of Phillips Watts v. State, also on Wednesday October 9, 2013, Counsel filed the brief of appellant pursuant to White v. State in State v. Phillips Watts. On Wednesday, September 25, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Rickey Hewins Mack. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jessica Beockete Moore on Monday, September 23, 2013. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina on September 23<sup>rd</sup> and 24<sup>th</sup> of 2013. On Friday, September 20, 2013, counsel attended the Gideon Conference in Charleston, South Carolina. On Tuesday, September 17, 2013, counsel had oral argument in this Court in the case of State v. Wesley Smith. On Friday, September 13, 2013, counsel filed the petition for rehearing in The State v. Alirio Ortis. On Thursday, September 12, 2013, counsel filed the petition for rehearing In the Interest of Justin B., a minor under the age of seventeen. On Wednesday, September 11, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Robert M. Jones. On Tuesday, September 10, 2013, counsel had an oral argument in the South Carolina Court of Appeals in the case of State v. Frankie Lee McGee. On Monday, September 9, 2013, counsel filed the initial brief of appellant and designation of matter in the case of State v. Frederick R. Chappell. On Tuesday, September 3, 2013, counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of D'el Grant v. State. On Wednesday, August 21, 2013, counsel filed Johnson petition for writ of certiorari and accompanying appendix in the case of Harold Orr v. State. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Mykel Johnson on Monday, August 19, 2013. Also on Monday, August 19, 2013 counsel filed the initial reply brief in the case of State v. Julio Angelo Hunsberger. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Brandon Green on Wednesday, August 14, 2013. Also on Wednesday, August 14, 2013 counsel filed the petition for writ of certiorari and accompanying appendix in Bobby Pyke v. State.

On Tuesday, August 13, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Anthony M. Brown v. State.

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 thirty day extension. 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.

Respectfully submitted,

  
\_\_\_\_\_  
Kathrine H. Hudgins  
Appellate Defender

October 21, 2013

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Marlboro County

Brooks P. Goldsmith, Circuit Court Judge  
\_\_\_\_\_

CLARENCE KENDALL COOK,

PETITIONER,

V.

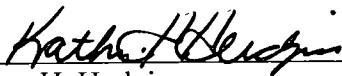
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000366

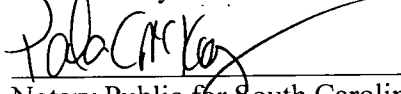
\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Karen Ratigan, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201 this 21<sup>st</sup> day of October, 2013.

  
\_\_\_\_\_  
Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 21st day of October 2013.

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission Expires: July 24, 2022.