

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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

RECEIVED

OCT 21 2013

S.C. Supreme Court

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 AND APPENDIX  
\_\_\_\_\_

Counsel respectfully requests a **final extension of thirty (30) days until November 20, 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, October 21, 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.

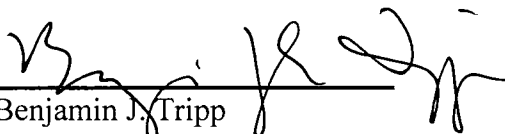
3. This case was assigned to Breen Stevens, whose last day with the Appellate Division was Friday, May 24, 2013. Undersigned counsel assumed Mr. Stevens' caseload effective May 28, 2013, and has been reassigned to handle the present case. On October 17, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Dietrick T. Williams in the Court of Appeals. On October 7, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Sarah D. Cardwell with the Court of Appeals. On September 27, 2013, counsel filed a Brief of Appellant in State v. Demetrius Smalls with the Court of Appeals. From September 23-25, 2013, counsel attended the 2013 Public Defender Conference in Myrtle Beach, S.C. On September 20, 2013, counsel attended a conference hosted by the South Carolina Commission on Indigent Defense entitled Gideon at 50 in Charleston, S.C. 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.

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.

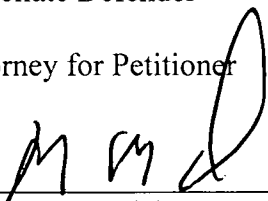
5. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until November 20, 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 21st day of October, 2013

I Consent:

  
\_\_\_\_\_  
for Suzanne H. White