

ORIGINAL

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to York County  
John C. Hayes, III, Circuit Court Judge  
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**RECEIVED**

OCT 28 2013

**S.C. Supreme Court**

KEVIN GUNTER,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-000639

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

The undersigned counsel respectfully requests a **final thirty day extension, until November 27, 2013**, 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. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Thomas Geddie in the Court of Appeals on October 25, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Daqwan M. Johnson in the Court of Appeals on October 23, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marion Bowman v. State, a **death penalty case with a**

**10,000 page appendix** with co-counsel David Alexander and Michael Anzelmo in this Court on October 18, 2013. On October 16, 2013, Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Kendrick Taylor (in the COA) in this Court, as well as the initial brief of appellant and designation of matter in the case of State v. Don-Survi Chisolm, with co-counsel Lara Caudy, in the Court of Appeals. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Lewis Addis, Jr. v. State in this Court on October 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Isaiah Marcus Brown in the Court of Appeals on October 3, 2013. Additionally, on October 3, 2013, Counsel filed the initial reply brief of appellant in the case of State v. Anthony Nation with co-counsel Charles Grose in this Court. Counsel had an oral argument in the case of State v. George L. Chavis in this Court on October 2, 2013. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of George Porterfield v. State in this Court on September 27, 2013. Counsel also presented at the Public Defender Convention that was held from September 23-25, 2013. Counsel filed the petitions for writ of certiorari and accompanying appendices in the cases of State v. Jeffrey Michaelson (in the COA) and Rayshawn Pearson v. State in this Court on September 18, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Michael Wright in the Court of Appeals, as well as the petition for rehearing in the case of State v. James Bethel in this Court on September 13, 2013. Counsel filed the petitions for rehearing in the cases of State v. Anthony Wade and State v. Alton Shelley in this Court on September 12, 2013. Additionally, Counsel filed the petition for writ of certiorari and accompanying appendix in the **death penalty** case of State v. Brad Keith Sigmon in the United States Supreme Court on September 12, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. John L. Hogan in the Court of Appeals on September 4, 2013. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Victor Weldon in the Court of Appeals

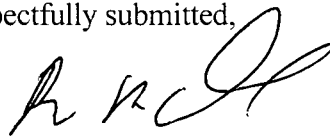
on August 28, 2013. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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.

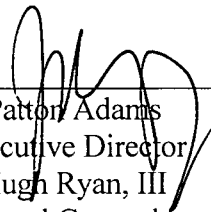
WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until November 27, 2013**, in which to file the petition for writ of certiorari and accompanying appendix. Counsel respectfully requests that the time limits for filing the petition for writ of certiorari and accompanying appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Robert M. Dudek  
Chief Appellate Defender

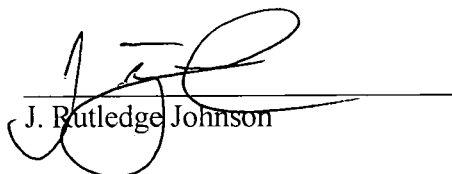


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T. Patton Adams  
Executive Director  
J. Hugh Ryan, III  
General Counsel

October 28, 2013

I do not oppose:



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J. Rutledge Johnson