

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Charleston County

Stephanie P. McDonald, Circuit Court Judge  
\_\_\_\_\_

**RECEIVED**

DEC 02 2013

**S.C. Supreme Court**

JERRY JEROME SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001041

\_\_\_\_\_  
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 January 2, 2014**, 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.
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.

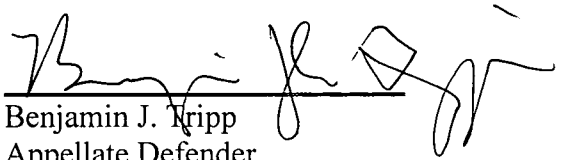
3. On November 27, 2013, counsel filed a brief of appellant and record on appeal in State v. Halden Lamont Hollman in the Court of Appeals. On November 22, 2013, counsel filed a return to petition for writ of certiorari in State v. Brittany Johnson with this Court. On November 20, 2013, counsel filed the petition for writ of certiorari and accompanying appendix in Antrown Irby v. State with this Court. On November 13, 2013, counsel filed an initial brief of appellant and designation of matter in State v. Jon Roseboro in the Court of Appeals. On November 7, 2013, counsel held an oral argument in State v. Carmichael Arvel Glenn before the Court of Appeals. On November 6, 2013, counsel filed a brief of appellant and record on appeal in State v. Korey Love with the Court of Appeals. On November 4, 2013, counsel filed a brief of appellant and record on appeal in State v. Wanda Patterson with the Court of Appeals. On October 31, 2013, counsel filed a brief of appellant in State v. Samuel Dingle with the Court of Appeals. On October 28, 2013, counsel filed a brief of appellant and record on appeal in State v. Andre Wallace with the Court of Appeals. 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.

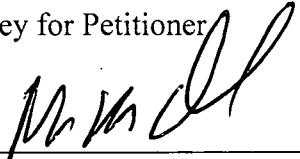
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

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 January 2, 2014**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,

  
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Benjamin J. Tripp  
Appellate Defender

Attorney for Petitioner  
  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

This 2nd day of December, 2013

I Consent:

  
\_\_\_\_\_  
Ashley R. Wilson