

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

Certiorari to Anderson County
R. Lawton McIntosh, Circuit Court Judge

RECEIVED

FEB 24 2014

S.C. Supreme Court

BARRY ALLEN EVANS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2013-001863

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.
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 her caseload, counsel hopes that no further extension requests will be required.

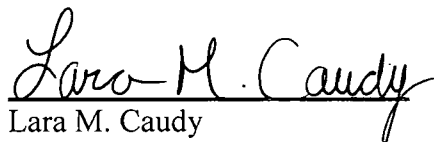
3. On February 20, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Daniel Lopez with the Court of Appeals. On February 7, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Robert Lee Heydman v. State in this Court. On January 17, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Jermel Rashond Daniels with the Court of Appeals. On January 13, 2014, counsel filed an initial brief of appellant and designation of matter in State v. Troy Hunter with the Court of Appeals. On January 9, 2014, counsel filed an initial reply brief in State v. Damon T. Brown with the Court of Appeals. On January 8, 2014, counsel filed a petition for writ of certiorari and accompanying appendix in Perry Keith Strickland v. State with this Court. On December 27, 2013, counsel filed a brief of appellant and record on appeal in State v. James Hagan with the Court of Appeals. On December 20, 2013, counsel filed a petition for writ of certiorari and accompanying appendix in Efrain Thomas v. State with this Court.

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,



Lara M. Caudy
Appellate Defender

Attorney for Petitioner

February 24, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Anderson County
R. Lawton McIntosh, Circuit Court Judge

BARRY ALLEN EVANS,

PETITIONER,

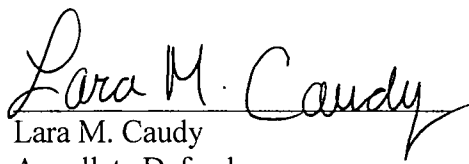
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

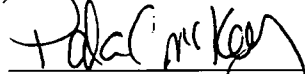
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon John Walt Whitmire, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of February, 2014.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 24th day
of February, 2014

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 24, 2022.