

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Kershaw County

G. Thomas Cooper, Circuit Court Judge  
\_\_\_\_\_

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APR 23 2014

S.C. Supreme Court

THE STATE,

RESPONDENT,

v.

DERRICK MCDONALD,

PETITIONER

Appellate Case No. 2012-213686  
\_\_\_\_\_

PETITION FOR EXTENSION TO FILE  
THE BRIEF OF PETITIONER  
\_\_\_\_\_

The undersigned counsel respectfully requests a <sup>20</sup>thirty day extension in which to file the brief of petitioner in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

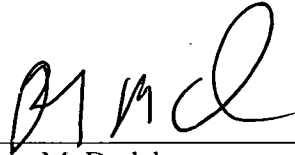
1. The brief of petitioner in this case is due to be served and filed today.
2. Counsel filed the petition for rehearing in the case of State v. Charles Harris with the Court of Appeals on April 17, 2014. Counsel had oral arguments in the cases of State v. Richey Boyd and State v. Tawanda Allen in the Court of Appeals on April 10, 2014. Counsel filed the brief of respondent in the case of State v. Richard Bill Niles Jr. with this Court on April 9, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Jonathan Mallory with the Court of Appeals on April 4, 2014. Counsel filed the petition for

rehearing in the case of State v. Jamaal Hinson with the Court of Appeals with co-counsel Reid Sherard on Thursday, April 3, 2014. Counsel filed the initial brief of appellant in the case of State v. In The Interest of Johnny A., a Juvenile Under the Age of Seventeen with the Court of Appeals on March 26, 2014. Counsel presented at the Best Practices Seminar in Charleston, S.C. on March 24, 2014. Counsel had oral arguments in the cases of State v. Curtis Simms in this Court with co-counsel David Alexander and State v. Mark Peters in the Court of Appeals on March 5, 2014. Counsel had an oral argument in the case of State v. Jefferson Perry in the Court of Appeals on March 4, 2014. Counsel filed the brief of appellant in the case of State v. Jeremy Fleming with the Court of Appeals on February 27, 2014. Counsel filed the brief of petitioner in the case of State v. Darian Robinson with this Court on February 25, 2014. Counsel filed the brief of appellant in the case of State v. Fred Cole Jr. with the Court of Appeals on February 21, 2014. Counsel filed a petition for rehearing in the case of State v. Patrick Guess with the Court of Appeals on February 20, 2014. Counsel had an oral argument in the case of John Edward Weik v. State, a death penalty case in this Court on February 19, 2014. Counsel filed the initial brief of appellant in the case of State v. Keith Letmon with the Court of Appeals on February 6, 2014. Counsel assisted in the preparation for and attended the oral argument in the case State v. Anthony Nation in this Court on February 5, 2014. The case was argued by co-counsel Charles Grose. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

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 brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R M Dudek', written over a horizontal line.

Robert M. Dudek  
Chief Appellate Defender

April 23, 2014

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Kershaw County  
G. Thomas Cooper, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

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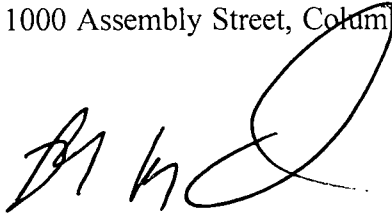
Appellate Case No. 2012-213686

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CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies that a true copy of the petition for extension to file the brief of petitioner in the above-referenced case has been served upon Melody J. Brown, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 23rd day of April, 2014.

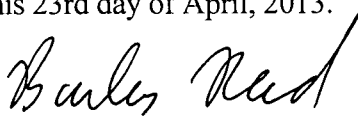


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Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this 23rd day of April, 2013.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 24, 2021 .