

D. McDonald

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

Certiorari to Richland County

MAY 21 2014

Alison Renee Lee, Circuit Court Judge **S.C. Supreme Court**

PATRICK GUESS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2011-203688

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

The undersigned counsel respectfully requests a **second and final** thirty day extension 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 is working on and plans to file the brief of respondent in the case of Michael Hough v. State due today with the Court of Appeals. Counsel filed the brief of petitioner in the case of State v. Derrick McDonald with this Court on May 13, 2014. Counsel filed the

initial brief of appellant and designation of matter in the case of In the Interest of Samuel B., a Juvenile Under the Age of Seventeen with the Court of Appeals on May 7, 2014. Counsel had an oral argument in the case of State v. Victor White in the Court of Appeals on May 6, 2014. Counsel filed the reply to return to petition for writ of certiorari in the case of State v. Marion Bowman, a death penalty case with this Court on May 5, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Daniel Willis with the Court of Appeals on May 5, 2014. Counsel is working on the potential reconstruction hearing in the case of State v. Sammie Stokes, a death penalty case. 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 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 **final** thirty day extension. 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,

A handwritten signature in black ink, appearing to read 'R M D', written in a cursive style.

Robert M. Dudek
Chief Appellate Defender

May 21, 2014

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
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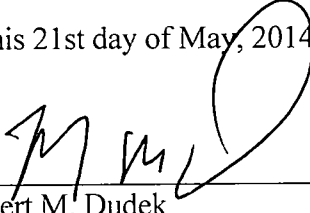
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CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon Deborah R. J. Shupe, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 21st day of May, 2014.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 21st day of May, 2014.



(L.S.)
Notary Public for South Carolina

My Commission Expires: October 24, 2021.