

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Richland County

DeAndrea G. Benjamin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JAMAAL HINSON,

PETITIONER

Appellate Case No. 2011-203569

RECEIVED
JUN 24 2014
SC Court of Appeals

MOTION TO FILE THE PETITION FOR EXTENSION
OF TIME TO FILE THE PETITION FOR WRIT OF CERTIORARI
AND ACCOMPANYING APPENDIX OUT OF TIME

The undersigned counsel petitions the Court to allow late filing of the petition for a 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 were due to be served and filed today on June 19, 2014. Due to administrative inadvertence the petition for writ of certiorari and accompanying appendix was not calendared.
2. Counsel worked today with Co-Counsel Reid Sherard in preparation for the oral argument before this Court in the case of State v. Richard Niles Jr. tomorrow, Wednesday, June 25, 2014. Counsel is working on and preparing to file the brief of petitioner in the case of State

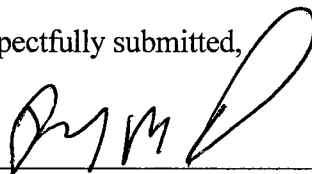
v. Christopher Heller in this Court on today, June 23, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Joseph Walker with the Court of Appeals on Friday, June 13, 2014. Counsel had an oral argument in the case of State v. Darian Robinson in this Court yesterday, June 12, 2014. Counsel filed the petition for rehearing in the case of State v. Bayan Aleskey, a death penalty case with this Court, on Friday, June 6, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Anthony C. Johnson with the Court of Appeals on June 4, 2014. Counsel filed the initial brief of appellant and designation of matter in the case of State v. McIver Feagin with the Court of Appeals on May 23, 2014. Counsel went to death row at Lieber Correctional Institution on May 22, 2014 to meet with Sammie Stokes to discuss and prepare for the upcoming reconstruction hearing. Counsel filed the petition for rehearing in the case of State v. Mark Peters with the Court of Appeals on Thursday, May 22, 2014. Counsel filed the brief of respondent in the case of Michael Hough v. State with the Court of Appeals on May 21, 2014. 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

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.

4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to relax Rule 263(b), SCACR, and allow leave in which to file the petition for a thirty day extension out of time. 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,



Robert M. Dudek
Chief Appellate Defender

June 24, 2014

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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 out of time in the above referenced case has been served upon Donald J. Zelenka, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, and upon the South Carolina Court of Appeals this 24th day of June, 2014.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 24th day of June, 2014.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: August 21, 2023.