

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Greenville County
Letitia H. Verdin, Circuit Court Judge

Opinion No. 2015-UP-015 (S.C. Ct. App. filed 1/14/15)
11-GS-23-03885, 11-GS-23-03886

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MAR 23 2015

S.C. Supreme Court

THE STATE,

RESPONDENT,

V.

ALBERT BRANDEBERRY,

PETITIONER.

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

The undersigned counsel respectfully requests an eight (8) day extension, **until March 31, 2015**, pursuant to this Court's order of July 16, 2014 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 will be filing the United States certiorari petition in the case of Richard Moore v. State of South Carolina (3 issues) with the United States Supreme Court today, March 23, 2015. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight. Counsel also**

has been training three new appellate defenders to include reading their briefs and certiorari petitions prior to their filing.

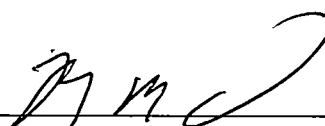
3. Counsel filed the petition for rehearing in the case of State v. William Pou with the Court of Appeals on March 19, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Walker Hughes on March 13, 2015. Counsel presented a power-point presentation at the SCACDL Criminal Defense Seminar on March 6, 2015. Counsel **unexpectedly** had to file (with co-counsel, David Alexander) a reply to the return to petition for extraordinary relief in the case of Marion Alexander Lindsey v. State of South Carolina (death penalty case) with this Court on March 3, 2015. Counsel traveled to and testified at a hearing in the case of State v. Christopher Stephen Stanko on March 3, 2015. Counsel **unexpectedly had to file** (with co-counsel, David Alexander) **a petition for extraordinary relief** in the case of Marion Alexander Lindsey v. State of South Carolina (death penalty case) with this Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Victor Weldon with this Court on February 26, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Antonio Miller with this Court on February 25, 2015. Counsel filed the petition for rehearing in the case of Michael A. Hough v. The State of South Carolina with the Court of Appeals on February 25, 2015. Counsel filed the merits initial brief of appellant and designation of matter in the case of The State v. Ricky Eugene Passmore with the Court of Appeals on February 20, 2015. Counsel filed the brief of respondent in the case of James Clayton Helms v. State of South Carolina with the Court of Appeals on February 13, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Ronald Lee Legg with the Court of Appeals on February 10, 2015. Counsel filed the return to motion to seal or strike in the case of State of South Carolina v. Ricky Lee Blackwell with this Court on February 9, 2015. Counsel filed the initial brief of appellant (3 issues) and designation of matter in the case of State v.

Christina Reece with the Court of Appeals on February 6, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Scott Cross with the Court of Appeals on February 4, 2015. Counsel had an oral argument in the case of The State v. Keith Letmon before the Court of Appeals on February 3, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Shedrix Steward with the Court of Appeals on January 30, 2015. Counsel filed the petition for rehearing in the case of The State v. Albert Brandeberry with the Court of Appeals on January 29, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Paul Leslie Cox v. State of South Carolina with this Court on January 28, 2015. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Jason A. Bauman with this Court on January 26, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. David Penn with the Court of Appeals on January 23, 2015.

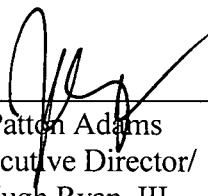
4. This request is made in good faith, and not for purposes of delay. Counsel expects to have **all future extensions within acceptable expectations.**

WHEREFORE, for the above-mentioned reasons, and **as a showing of good cause**, the undersigned counsel would respectfully request a eight (8) day extension, **until March 31, 2015**, in which to serve and file the petition for writ of certiorari and accompanying appendix. 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



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

This 23rd day of March, 2015.

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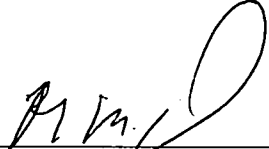
V.

ALBERT BRANDEBERRY,

PETITIONER.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies the petition for extension to file the petition for writ of certiorari and appendix in the above referenced case has been served upon Benjamin J. Aplin, Esquire, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, and the S.C. Court of Appeals this 23rd day of March, 2015.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 23rd day of March, 2015.

Rhonda Demecia Joseph (L.S.)
Notary Public for South Carolina
My Commission Expires: October 17, 2021.