

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

RECEIVED

Certiorari to Laurens County
Donald B. Hocker, Circuit Court Judge

SEP 24 2015

S.C. Supreme Court

BRIAN STEPHENS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-000471

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE PETITION FOR WRIT OF
CERTIORARI AND APPENDIX

Counsel for Brian Stephens respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and appendix 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 are due to be served and filed with the Court today.
2. Counsel for Brian Stephens 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.

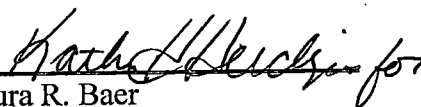
3. Counsel filed the petition for rehearing in the case of State v. Martin Floyd on July 29, 2015 with the Court of Appeals. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Stephon Robinson in the Court of Appeals on July 27, 2015. Counsel filed the reply to the return to petition for writ of certiorari in the case of Dider Sellner v. State with this Court on July 27, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Calvin Miller with the Court of Appeals on July 27, 2015. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Justin Johnson with the Court of Appeals on July 22, 2015. Counsel filed the petition for rehearing in the case of State v. Christopher Miller with this Court on July 8, 2015. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Warren Smith v. State with this Court on July 2, 2015.

4. Counsel makes this request in good faith and not for purpose of delay.

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 and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Laura R. Baer
Appellate Defender

Attorney for Petitioner

September 24, 2015

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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 J. Rutledge Johnson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of September, 2015.



Laura R. Baer
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 24th day
of September, 2015.



(L.S.)
Notary Public for South Carolina
My Commission Expires: October 24, 2021.