

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Perry H. Gravely, Circuit Court Judge

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MAR - 7 2016

SC SUPREME COURT

BRANDON HEATH CLARK,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2015-001898

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

Counsel for Brandon Heath Clark respectfully requests a **final thirty (30) day extension, until April 6, 2016**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Brandon Heath Clark 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.

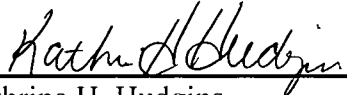
3. Counsel filed a petition for rehearing in the case of The State v. Sammy Lee Scarborough on March 4, 2016 with the Court of Appeals. Counsel filed a petition for rehearing on the case of Stephen Smalls v. The State on February 22, 2016, with the Court of Appeals. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marshall Dewitt McGaha v. The State on February 22, 2016, with this Court. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Gary R. Thompson on February 22, 2016, with this Court. Counsel filed the brief of petitioner in the case of Willie J. Adams v. The State on February 22, 2016 with this Court. Counsel filed the Initial Reply Brief in the case of State v. Preston Oates with the Court of Appeals on February 11, 2016. Counsel presented an oral argument in the Court of Appeals in the case of State v. Anthony Bailey on February 10, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Ralph Martin with the Court of Appeals on February 3, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Maurice C. Kinard v. State with this court on February 1, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Joshua James Parker with the Court of Appeals on January 29, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Sammy Cowan v. State with this court on January 21, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Tyrone Shumpert v. State with this court on January 14, 2016. Counsel presented an oral argument in this court in the case of State v. Melvin P. Stukes on January 13, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Octavia Middleton v. State with this court on January 7, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Darrin Holston v. State with this court on December 21, 2015.

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


5. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until April 6, 2016**, 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,


Kathrine H. Hudgins
Appellate Defender

Attorney for Petitioner.


Robert M. Dudek
Chief Appellate Defender

This 7th day of March, 2016.

I consent:


Karen Ratigan, Esquire