

 ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Charleston County
Deadra L. Jefferson, Circuit Court Judge

RECEIVED

SEP 20 2012

S.C. Supreme Court

DAVID BRYANT RICHARDS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

2012-209507

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

Counsel for David Bryant Richards respectfully requests a **final extension of thirty (30) days until ~~October~~ 22, 2012** 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 is due to be served and filed with the Court today, September 20, 2012.
2. Counsel for Mr. Richards 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 his caseload, counsel hopes that no further extension requests will be required.

3. On September 21, 2012, counsel expects to file the Brief of appellant and designation of matter in State v. Demetrius Smalls in the Court of Appeals. On September 18, 2012, counsel has filed the Brief of appellant and designation of matter in State v. Troy Terrell Baxter in the Court of Appeals. On September 14, 2012, counsel has filed the Brief of appellant and designation of matter in State v. Perry Bernard Buchanan in the Court of Appeals. On September 12, 2012 counsel filed a Brief in State v. Chestnut in the Court of Appeals. On September 12, 2012 counsel had oral arguments in State v. Samuel L. McNeil and State v. Timothy O. Chandler in the Court of Appeals. On September 7, 2012, counsel filed the return to petition for certiorari in Troy Robinson v. State with this Court. On August 30, 2012, counsel filed the petition for rehearing in State v. Clifford Wylie with this Court. On August 24, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Dustin Tiller v. State with this Court. August 16, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Christopher J. Hickman v. State with this Court. On August 15, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Brian Powell v. State with this Court and filed the brief and record on appeal in State v. Mitchell Rivers with the Court of Appeals. On August 10, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in John P. Hendrix v. State with this Court. On July 31, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Victor C. Penny v. State with this Court. On July 23, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Nathaniel Suber v. State with this Court. On July 23, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Thurston M. Bolton v. State with this Court. On July 12, 2012, counsel filed the motion to remand for record reconstruction in James Randolph Frady v. State with this Court. On June 29, 2012, counsel filed the petition for writ of certiorari and accompanying appendix in Alonzo Harvin v. State with this

Court. On June 29, 2012, counsel filed the initial brief of appellant and designation of matter in State v. Herbert Causey in the Court of Appeals. On June 25, 2012 counsel filed a brief of appellant and record on appeal in State v. Vincent Lomelli in the Court of Appeals. On June 22, 2012, counsel filed the initial brief of appellant and designation of matter in State v. William Ross in the Court of Appeals.

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

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

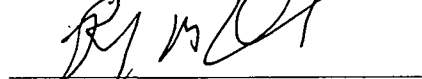
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until October 22, 2012** in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances.

Respectfully submitted,



Breen R. Stevens
Appellate Defender

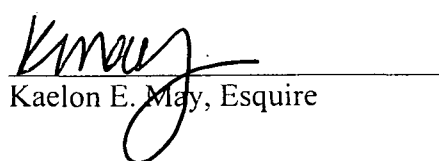
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 20th day of September, 2012.

I Consent:


Kaelon E. May, Esquire