

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

APPEAL FROM RICHLAND COUNTY

JUL 26 2016

James R. Barber, III, Circuit Court Judge

S.C. SUPREME COURT

Appellate Case Number: 2014-001774

Phillip H. Crocker, III

Petitioner,

v.

State of South Carolina

Respondent.

Petition to Extend Time to File Petition for Writ of *Certiorari*

The Petitioner, Phillip H. Crocker, III, petitions this Court to extend time to file the petition for writ of *certiorari* until Friday, August 19, 2016.

1) Mr. Crocker's application for post-conviction relief arises out of a jury trial and conviction for murder. The Appendix will be over 2,500 pages.

2) Counsel is a solo practitioner with a statewide trial, appellate, and post-conviction practice.

3) In 2016, counsel has had an unusually high number of appellate deadlines. In January 2016, he filed initial briefs in *State v. Michael Beaty, Jr.*, Court of Appeals Case No. 2015-000718 and *State v. Preston Shands, Jr.*, Court of Appeals Case No. 2015-001199, both involving sentences of life imprisonment without the possibility of parole. Also in January 2016, counsel filed a return to the State's petition for an extraordinary writ of *certiorari* in *Jerry Inmon v. State*, Supreme Court Case No. 2015-

002634, a capital post-conviction relief case. In February 2016, counsel filed a petition for writ of *certiorari* in *Charles Vandross v. State*, Supreme Court Case No. 2014-000650. Counsel was scheduled to defend a murder charge starting on Monday, February 29, 2016, *State v. Trey Brown*, Abbeville Case No. 2014-GS-01-0111, 0112, but that case resulted in a plea. In March 2016, Counsel filed a Brief in Opposition to the State's Petition for Writ of Certiorari in *South Carolina v. John Kennedy Hughey*, United States Supreme Court Case Number 15-880 and a Response to State's Motion to Expedite Petition for Extraordinary Writ in *Jerry Inmon v. State, supra*. In April 2016, counsel filed a Reply to the State's Brief in Opposition to a petition for writ of *certiorari* in *Dean and Brown v. Keel*, SCOTUS Case No. 15-8412, a petition for writ of certiorari in this Court on *State v. Tommie Weathers, Jr.*, Appellate Case No. 2015-00636, an initial brief in *Crenshaw v. Erskine College*, Court of Appeals Case No. 2015-002090, and a petition for writ of *habeas corpus* in *Bryant v. Stirling*, C/A No. 9:15-mc-00217-DCN-BM.

5) In addition to these appellate cases, counsel is involved in the evidentiary in a capital post-conviction relief case, *William O. Dickerson, Jr. v. State*, Case No. 2012-CP-10-3216, which has involved court appearances on December 7-8, 2015, March 31, 2016, and May 12-13, 2016. A discovery occurred April 20, 2016, and the evidentiary hearing resumed on May 27, 2016. It was not anticipated that the evidentiary hearing would be this drawn out.

6) From June 27 to July 1, 2016, counsel was involved in the jury trial of *State v. Bennie Brown, Jr.*, a Laurens County double murder charge. This case was capital until the Circuit Court ruled Mr. Brown was not eligible for the death penalty

because of his Intellectual Disabilities. Following this ruling, the case was scheduled for trial for June 27, 2016 and involved pre-trial motions hearings on June 16, 17, and 22, 2016. This trial was scheduled in the manner, in part, in deference to co-counsel who is defending Dylann Roof and was willing to waive his protection if the trial could be scheduled far enough in advance of Mr. Roof's trial.

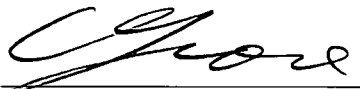
7) From July 11 to 14, 2016, counsel was involved in the jury trial of State v. Brandon Holmes, a Greenwood County homicide by child abuse case.

8) Counsel has been methodically working through all of these trial and appellate case, blocking time to complete work on each case including this case.

This request is made in good faith and is not intended for delay. Counsel believes good cause and exceptional circumstances exists for this extension request. Counsel does not anticipate needing any further extensions.

Mr. Crocker, therefore, respectfully requests this Court to extend time to file the petition for writ of *certiorari* until Friday, August 19, 2016.

IT IS SO MOVED.

By 

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466

Attorney for Petitioner

July 20, 2016
Greenwood, South Carolina

I do not oppose this request for an extension of time:

Megan Harrigan Jameson, S.C. Attorney General's Office

because of his Intellectual Disabilities. Following this ruling, the case was scheduled for trial for June 27, 2016 and involved pre-trial motions hearings on June 16, 17, and 22, 2016. This trial was scheduled in the manner, in part, in deference to co-counsel who is defending Dylann Roof and was willing to waive his protection if the trial could be scheduled far enough in advance of Mr. Roof's trial.

7) From July 11 to 14, 2016, counsel was involved in the jury trial of State v. Brandon Holmes, a Greenwood County homicide by child abuse case.

8) Counsel has been methodically working though all of these trial and appellate case, blocking time to complete work on each case including this case.

This request is made in good faith and is not intended for delay. Counsel believes good cause and exceptional circumstances exists for this extension request. Counsel does not anticipate needing any further extensions.

Mr. Crocker, therefore, respectfully requests this Court to extend time to file the petition for writ of *certiorari* until Friday, August 19, 2016.

IT IS SO MOVED.

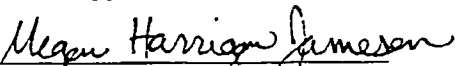
By 

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466

Attorney for Petitioner

July 20, 2016
Greenwood, South Carolina

I do not oppose this request for an extension of time:


Megan Harrigan Jameson, S.C. Attorney General's Office

THE STATE OF SOUTH CAROLINA
In The Supreme Court

RECEIVED

APPEAL FROM RICHLAND COUNTY

JUL 26 2016

James R. Barber, III, Circuit Court Judge

S.C. SUPREME COURT

Appellate Case Number: 2014-001774

Phillip H. Crocker, III

Petitioner,

v.

State of South Carolina

Respondent.

Certificate of Service

I certify that I serve a copy of this petition on the State of South Carolina and prior appointed counsel by placing a copy in the US Mail, postage prepaid, on the date reflected below.

Megan Harrigan Jameson, Esquire
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211

E. Charles Grose

E. Charles Grose, Jr.
The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646
(864) 538-4466

By: Laura Wingel

July 20, 2016
Greenwood, South Carolina

The Grose Law Firm, LLC
404 Main Street, Greenwood, South Carolina 29646

E. Charles Grose, Jr.
Phone: 864-538-4466 Fax: 864-538-4405
E-mail: charles@groselawfirm.com
Web: GroseLawFirm.com

July 20, 2015

RECEIVED

JUL 26 2016

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

Re: *Phillip H. Crocker, III vs. State of South Carolina*
Appellate Case No. 2014-001774

Dear Mr. Shearouse:

Enclosed for filing, please find the original and six copies of Petition to Extend Time to File Petition for Writ of *Certiorari*, along with certificate of service.

Thank you for your attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me.

With kindest regards, I am

Yours very truly,



E. Charles Grose, Jr.

cc: Megan Harrigan Jameson, Esquire

The Grose Law Firm, LLC
404 Main Street
Greenwood, SC 29646

The Honorable Daniel E. Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211



1000



29211

U.S. POSTAGE
PAID
GREENWOOD, SC
29649
JUL 20, 16
AMOUNT
\$2.20
R2305K141918-03