

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Spartanburg County

Honorable R. Scott Sprouse, Circuit Court Judge

ORIGINAL

ORIGINAL RECEIVED

SEP 26 2016

S.C. SUPREME COURT

PETITIONER,

DAVID DWIGHT SMITH,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO 2016-000262

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

The undersigned counsel respectfully requests a **final thirty day extension, until October 26, 2016**, 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 filed the initial brief of appellant in the case of In the Matter of Care and Treatment of Roy Lee Wade with the Court of Appeals on September 16, 2016. Counsel filed the initial reply brief of appellant in the case of State v. Albert E. Siders with the Court of Appeals on September 6, 2016. Counsel filed the reply to return to petition for writ of certiorari

in the case of Sheldon Oakman v. State with this Court on August 25, 2016. Counsel filed the brief of respondent in the case of Norman Hayes v. State with this Court on August 17, 2016. Counsel filed the petition for writ of certiorari in the case of Ronald Smith v. State with this Court on August 12, 2016. Counsel filed the petition for writ of certiorari in the case of Antwine Matthews v. State with this Court on August 12, 2016. Counsel filed the initial brief of appellant in the case of State v. Dean Distasio with the Court of Appeals on August 8, 2016. Counsel filed the initial brief of respondent in the case of State v. Josie Jones with the Court of Appeals on July 22, 2016.

3. As indicated by her consent below, counsel for the state does not oppose this request.

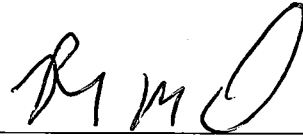
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until October 26, 2016**. 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,



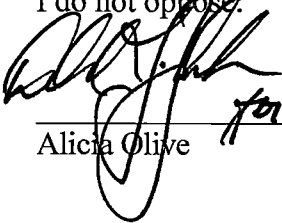
Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

September 26, 2016

I do not oppose.



for A.D.

Alicia Olive