

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Pickens County

James R. Barber, Circuit Court Judge

RECEIVED

JAN - 3 2017

S.C. SUPREME COURT

MARSHALL H. COLLINS,

RESPONDENT,

v.

THE STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2014-002397

**PETITION FOR EXTENSION TO FILE
BRIEF OF RESPONDENT**

The undersigned counsel would respectfully request a **final thirty (30) day extension until February 2, 2017**, in which to file the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

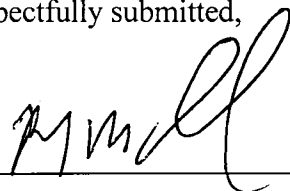
1. The brief of respondent in this case is due to be served and filed today.
2. On December 30, 2016, counsel filed the petition for writ of certiorari in the case of Bryan Rearick v. The State of South Carolina with the Supreme Court of the United States. Counsel is also doing research on legal issues involved in the upcoming Aiken v. Byers juvenile resentencing hearings. On December 19, 2016, counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Thomas James with this Court. On December 9, 2016,

counsel filed the brief of petitioner in the case of The State v. Harold Bennon Cartwright, III, with this Court. On December 1, 2016, counsel, along with co-counsel, Lara M. Caudy, filed the reply to the return to the petition for writ of certiorari in the death penalty case of Anthony Woods v. The State of South Carolina with this Court. On November 21, 2016, counsel filed the brief in opposition to the petition for writ of certiorari in the case of The State of South Carolina v. Antonio Miller with the United States Supreme Court. On November 10, 2016, counsel was co-counsel on the initial reply brief of appellant that was filed in the death penalty case of The State v. Luzenski Cottrell with this Court. On November 7, 2016, counsel filed the initial brief of respondent and designation of matter in the case of The State v. Richard P. Krochmal with the Court of Appeals. On November 3, 2016, counsel filed the petition for rehearing in the case of The State v. Thomas James with the Court of Appeals. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training four less experienced appellate defenders and reading all of their writings.**

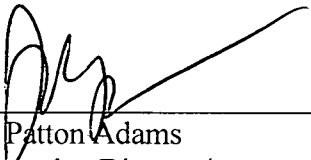
3. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension until February 2, 2017**, in which to file the brief of respondent in this case. Counsel requests that the time limits for filing the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



T. Patton Adams
Executive Director/
J. Hugh Ryan, III
General Counsel

January 3, 2017.

This 3rd day of January, 2017.

I consent:



for Patrick Schmeckpeper, Esquire