

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Lexington County
Honorable Brooks P. Goldsmith, Circuit Court Judge

RECEIVED

JAN - 6 2017

JOSHUA B. PHILLIPS,

PETITIONER,
S.C. SUPREME COURT

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2016-001288

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

Counsel for Joshua B. Phillips respectfully requests a **final thirty (30) day extension, until February 6, 2017**, 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 Joshua B. Phillips 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. Counsel filed the brief of petitioner in the case of State v. James Allen Johnson with this Court on January 3, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Jason Bodie with the Court of Appeals on December 28, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Cleveland Edward Young with the Court of Appeals on December 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Brandon Hunter Kenny Rivers with the Court of Appeals on December 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Maurice Marshall Harris with the Court of Appeals on December 13, 2016. Counsel filed the return to petition for writ of certiorari in the case of State v. Jimmy Turner with this Court on December 8, 2016. Counsel had an oral argument in the case of State v. Tyrone D. Ellison before the Court of Appeals on December 7, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Dwyer with the Court of Appeals on December 2, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Billy Ray Smith with the Court of Appeals on November 28, 2016. Counsel filed a petition for rehearing in the case of State v. James Kevin Bethal with the Court of Appeals on November 23, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Terry Catoe with the Court of Appeals on November 16, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of In the Matter of the Care and Treatment of Leonard Jenkins with the Court of Appeals on November 16, 2016. Counsel filed the petition for writ of certiorari in the case of Vashawn Ravenel v. State with this Court on November 14, 2016. Counsel filed the petition for writ of certiorari in the case of Darrell L. Goss v. State with this Court on November 14, 2016. Counsel filed the initial brief

of appellant and designation of matter in the case of State v. King Chevais Conyers with the Court of Appeals on November 9, 2016.

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.

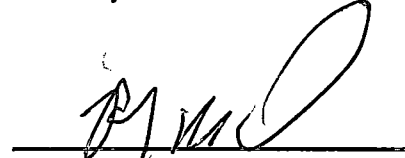
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until February 6, 2017**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander
Appellate Defender

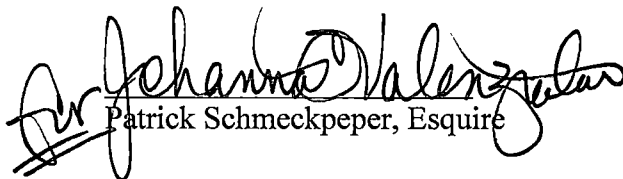
Attorney for Petitioner.



Robert M. Dudek
Chief Appellate Defender

This 6th day of January, 2017.

I consent:



Patrick Schmeckpeper, Esquire