

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Kershaw County
G. Thomas Cooper, Circuit Court Judge

RECEIVED

FEB 08 2017

BRIAN EVANS,

S.C. SUPREME COURT
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001596

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

The undersigned counsel respectfully requests a **final thirty-day extension, until March 10, 2017**, in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel respectfully shows the Court the following:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.

2. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Leon James in the Court of Appeals on February 3, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Corey Geddie v. State in this Court on January 30, 2017. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Jason Gourdine in the Court of Appeals on January 27, 2017. Counsel filed the

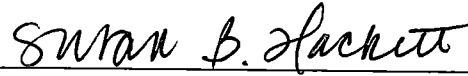
petition for rehearing in the case of State v. Wayne Gary Polite in the Court of Appeals on January 26, 2017. Counsel filed the Anders brief of appellant and record on appeal in the case of State v. Brandon Rashad Marshall in the Court of Appeals on January 24, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of State v. James Miller in the Court of Appeals on January 18, 2017. Counsel filed the return to petition for rehearing in the case of State v. Walter M. Bash in this Court on January 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of State v. Tyrel Collins in this Court on January 3, 2017. Counsel filed the petition for rehearing in the case of State v. Keith Denver Tate in the Court of Appeals on December 29, 2016. Counsel filed the initial reply brief of appellant In The Matter Of The Care And Treatment Of Keith Fitzgerald Burris in the Court of Appeals on December 28, 2016. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Deshaun Jamel Fordham v. State in this Court on December 15, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Benjamin Cervantes-Hernandez in the Court of Appeals on December 14, 2016.

3. This request is made in good faith, and not for purposes of delay. This matter arose in Kershaw County, but was heard in Richland County. As a result, there has been some confusion among the Clerks of Court and the presiding judge regarding the location of the exhibits. Undersigned counsel is working diligently to get the exhibits to include in the appendix.

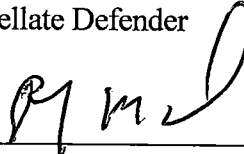
4. As indicated by her consent below, counsel for the state does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until March 10, 2017**, in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



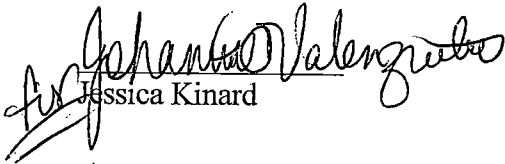
Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

February 8, 2017

I DO NOT OPPOSE:


Jessica Kinard