

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

RECEIVED

MAY 24 2017

Certiorari to Lancaster County

S.C. SUPREME COURT

Honorable Brian M. Gibbons, Circuit Court Judge

DYESHAWN FOSTER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-002357

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

The undersigned counsel respectfully requests a **final thirty day extension, until June 23, 2017**, 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 Brief of Petitioner in the case of The State of South Carolina v. Gary Eugene Lott with the Supreme Court on May 18, 2017. Counsel filed the Johnson Petition for Writ of Certiorari in the case of The State of South Carolina v. Charlie Belser with the Supreme Court on May 17, 2017. Counsel filed the Initial Brief of Appellant and Designation of

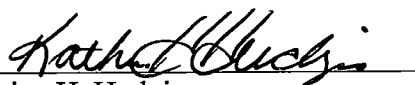
Matter in the case of The State of South Carolina v. Michael Glenn Hall with the Court of Appeals on May 8, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Terrance Calloway with the Court of Appeals on May 1, 2017. Counsel filed the Return to Petition for Writ of Certiorari in the case of The State of South Carolina v. Carlos Smith with the Supreme Court on April 27, 2017. Counsel filed the petition for writ of certiorari in the case of The State of South Carolina v. Ralph Martin with the Supreme Court on April 24, 2017. Counsel filed the Petition for Writ of Certiorari in the case of Brandon Golden v. The State of South Carolina with the Supreme Court on April 21, 2017. Counsel filed the brief in opposition in the case of The State of South Carolina v. Julio Angelo Hunsberger with the Supreme Court of the United States on April 17, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Chad Nelson Strickland with The Court of Appeals on April 11, 2017. Counsel filed the Brief of Petitioner in the case of Stephen Smalls v. The State of South Carolina with the Supreme Court on April 6, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of Louis Sanders v. The State of South Carolina with the Supreme Court on March 29, 2017. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals and Appendix in the case of Demetrice Roosevelt James v. The State of South Carolina with the Supreme Court on March 23, 2017.

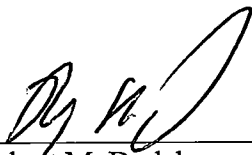
3. As indicated by his consent below, counsel for the state does not oppose this request.

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 June 23, 2017**, in which to file the petition for writ of certiorari and accompanying appendix. 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,

  
Kathrine H. Hudgins  
Appellate Defender

  
Robert M. Dudek  
Chief Appellate Defender

May 24, 2017

I do not oppose:

  
DeShawn H. Mitchell, Esquire

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Lancaster County  
Honorable Brian M. Gibbons, Circuit Court Judge

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DYESHAWN FOSTER,

PETITIONER,

V.

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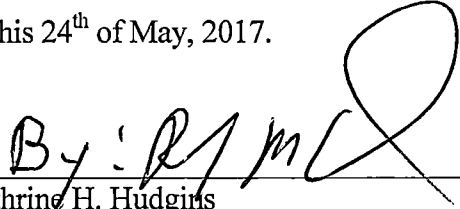
APPELLATE CASE NO. 2016-002357

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CERTIFICATE OF SERVICE

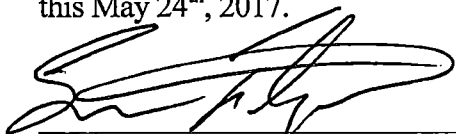
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The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon DeShawn Mitchell, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 24<sup>th</sup> of May, 2017.

By:   
Kathrine H. Hudgins  
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me  
this May 24<sup>th</sup>, 2017.

  
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(L.S.)  
Notary Public for South Carolina  
My Commission Expires: October 30, 2022.