

STATE OF SOUTH CAROLINA

ORIGINAL

IN THE SUPREME COURT

Certiorari to York County

RECEIVED

Honorable John C. Hayes, III, Circuit Court Judge

MAY 24 2017

S.C. SUPREME COURT

WALLACE EUGENE EVATT, JR.,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-002281

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

The undersigned counsel respectfully requests a thirty day extension 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 and designation of matter in the case of The State v. Tashon Earl Hurell with the Court of Appeals on May 19, 2017. Counsel filed the petition for rehearing in the case of The State v. Shannon Scott with the Court of Appeals on May

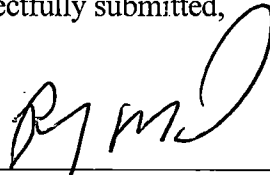
18, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Calvert Myers with this Court on May 16, 2017. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Royres Antwon Patterson with the Court of Appeals on May 12, 2017. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Cory Nettles Allen with the Court of Appeals on May 8, 2017. Counsel prepared the preserving the record for appeal exercises and a power point on Rules of Evidence Issues and Error Preservation, and was on the faculty of the Public Defense 103 training from May 1-3, 2017, in Greenville, South Carolina. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Arsenio D. Colclough with the Court of Appeals on April 28, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Allen Rauch v. The State with this Court on April 24, 2017. On April 17, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in the case of The State v. Jalann Williams with this Court. On April 13, 2017, counsel had an oral argument in the death penalty case of Marion Bowman v. The State before this Court. On April 12, 2017, counsel had an oral argument in the murder case of The State v. Sandy Lynn Westmoreland before the Court of Appeals. On April 7, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyrone Quick with the Court of Appeals. On April 7, 2017, counsel filed the initial brief of appellant and designation of matter in the case of The State v. Teresa Ann McCracken-Hall with the Court of Appeals. On April 4, 2017, counsel, was co-counsel to, Laura M. Baer, when they filed the initial brief of appellant and designation of matter in the case of The State v. Robert Graham with the Court of Appeals. On March 31, 2017, counsel filed the reply in support of petition for a writ of certiorari in the case of Bryan Rearick v. State with the U.S. Supreme Court. On March 30, 2017, counsel filed the petition for rehearing in the case of State v. Joshua Griffith with the Court of Appeals. **Counsel has**

extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and training two less experienced appellate defenders and interviewing for open positions.

3. 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 thirty day extension. 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,



Robert M. Dudek
Chief Appellate Defender

May 24, 2017

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Certiorari to York County
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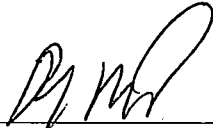
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RESPONDENT

APPELLATE CASE NO. 2016-002281

CERTIFICATE OF SERVICE

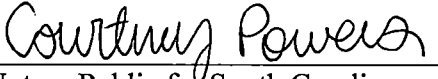
The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon DeShawn Mitchell, Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia,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



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 24th day of May, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: May 2, 2027.