

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County

Honorable John C. Hayes, Circuit Court Judge

RECEIVED

JUN 23 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 **final thirty day extension, until July 24, 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 petition for stay of execution in the death penalty case of The State v. Ricky Lee Blackwell with this Court on June 15, 2017. Counsel filed the motion to unseal the briefs and the record on appeal in the death penalty case of The State v. Ricky Lee Blackwell with

this Court on June 15, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Jacob Michael Hendricks with the Court of Appeals on June 14, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of: Dillon H., a Juvenile Under the Age of Seventeen with the Court of Appeals on June 5, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Antonio Ross with the Court of Appeals on May 26, 2017. 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. **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. As indicated by the consent below, counsel for the state does not oppose this request.

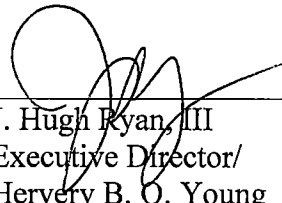
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until July 24, 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,




Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

June 23, 2017

I do not oppose:



DeShawn Mitchell, Esquire