

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Jasper County
Michael G. Nettles, Circuit Court Judge

BRETT HOWARD,

RECEIVED

JUL 24 2017
PETITIONER,
S.C. SUPREME COURT

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-000246

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

Counsel for Brett Howard respectfully requests an extension of thirty days 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 second request for an extension. In support of this request, counsel shows:

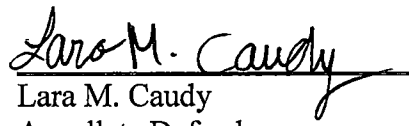
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Brett Howard respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. On July 21, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Romeo Brown v. The State with this Court. On July 20, 2017, counsel filed the petition for rehearing in State v. Wayland Purnell with the Court of Appeals. On July 13, 2017, counsel filed the petition for rehearing in In the Matter of the Care and Treatment of Carl M. Asquith with the Court of Appeals. On July 12, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Justin Antonio Butler with the Court of Appeals. On July 7, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Joseph Walker v. The State with this Court. On July 5, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Nelson H. Castro with the Court of Appeals. On June 29, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Holly Earlene Mahon with the Court of Appeals. On June 19, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Marquis Breeland v. The State with this Court. On June 16, 2017, counsel filed the brief of petitioner in David Rocquemore v. The State with this Court. On June 12, 2017, counsel filed the initial brief of appellant and designation of matter in The State v. Shane Washington with the Court of Appeals. On June 1, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Timothy Allen Lemacks v. The State with this Court.

4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

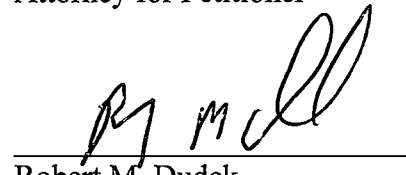
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,


Lara M. Caudy

Appellate Defender

Attorney for Petitioner



Robert M. Dudek

Chief Appellate Defender

July 24, 2017

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IN THE SUPREME COURT

Certiorari to Jasper County
Michael G. Nettles, Circuit Court Judge

BRETT HOWARD,

PETITIONER,

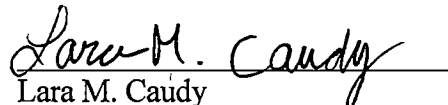
V.

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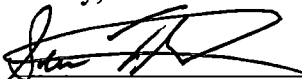
CERTIFICATE OF SERVICE

I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Ruston Neely, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of July, 2017.


Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 24th day
of July, 2017.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.