

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

ORIGINAL

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Certiorari to Oconee County

Honorable Brooks P. Goldsmith, Circuit Court Judge

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RECEIVED

AUG 10 2017

DAVID LEE COWARD,

S.C. SUPREME COURT  
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001358

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE REPLY TO THE  
RETURN TO PETITION FOR WRIT OF CERTIORARI

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Counsel for David Lee Coward respectfully requests an extension of ten (10) days in which to file the reply to the return to petition for writ of certiorari 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 reply to return to petition for writ of certiorari are due to be served and filed with the Court today.
2. Counsel for David Lee Coward 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. Counsel filed the reply to return to petition for writ of certiorari in the case of William P. Deaton v. State with this Court on August 8, 2016. Counsel filed the Johnson petition for writ of certiorari in the case of Joseph Simmons v. State with this Court on August 7, 2017. Counsel filed the initial brief of appellant in State v. Stanley Moultrie with the Court of Appeals on August 1, 2017. Counsel filed the petition for writ of certiorari in Anthony Martin v. State with this court July 26, 2017. Counsel filed the petition for writ of certiorari in Samuel Brown, Jr. v. State with this court on July 13, 2017. Counsel filed the petition for writ of certiorari in Ortavious Mitchell v. State with this court July 3, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in In the matter of the care and treatment of Calvin Joe Miller with this Court on June 29, 2017. Counsel filed the initial brief of appellant in State v. Auston Breazeal with the Court of Appeals on June 23, 2017.

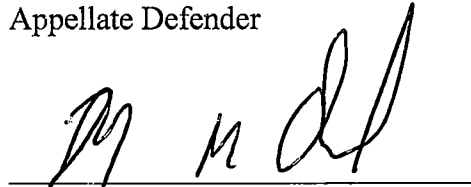
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a ten day extension, in which to file the reply to the return to petition for writ of certiorari 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,



Laura R. Baer  
Appellate Defender



Robert M. Dudek  
Chief Appellate Defender

Attorney for Petitioner

August 10, 2017

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Oconee County  
Honorable Brooks P. Goldsmith, Circuit Court Judge

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DAVID LEE COWARD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,


RESPONDENT

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CERTIFICATE OF SERVICE

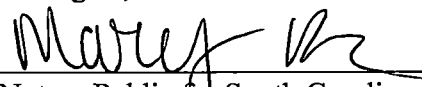
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I certify that a true copy of the motion for an extension of time in which to file the reply to the return to petition for writ of certiorari in the above case has been served upon Lindsey McCallister, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 10th day of August, 2017.

  
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Laura R. Baer  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 10th day  
of August, 2017.

 (L.S.)  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: May 12, 2027