

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Beaufort County

Honorable Perry M. Buckner, Circuit Court Judge

ORIGINAL
RECEIVED
SEP 05 2017
S.C. SUPREME COURT

ALFONZO J. HOWARD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2016-002269

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

The undersigned counsel respectfully requests an **exigent final three day extension, until Friday, September 8, 2017**, in which to file the petition for writ of certiorari and accompanying appendix in the above-referenced case. Counsel will file before the deadline if at all possible. 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. Counsel respectfully submits that exigent circumstances exist which warrant the granting of a final five day additional extension of time.

2. Counsel filed a motion for appointment of outside counsel in the above-captioned case on June 5, 2017. This motion was denied on August 4, 2017. The Appendix in this case is in excess of 1,500 pages long. This is a very unusual case where petitioner asserted ineffective assistance of counsel based on trial counsel's conflicts with the trial judge and Indigent Defense. Counsel had planned and hoped to file the petition for writ of certiorari today but he had to file a four issue (3 very novel issues) initial brief of appellant and designation of matter in the case of The State v. Edward Primo Bonilla with the Court of Appeals on Friday, September 1, 2017. This case came to involve much more of an expenditure of counsel's time than originally thought. Counsel also filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. Shannon Scott with this Court on August 18, 2017. The return to the state's petition for writ of certiorari in this cross-appeal is due on September 21, 2017. Counsel filed the petition for writ of certiorari in the case of Raphael Wooden v. The State with this Court on August 18, 2017. Counsel filed the initial reply brief of appellant in the case of The State v. John M. Ghent, Jr. with the Court of Appeals on August 10, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin Lee Boyter with the Court of Appeals on July 26, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Crystal Garner with the Court of Appeals on July 26, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wallace Eugene Evatt, Jr. v. The State with this Court on July 24, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kasey Marie Gilbert with the Court of Appeals on July 18, 2017. Counsel filed the brief of appellant pursuant to White v. State and the petition for writ of certiorari in the case of Shonta Helton v. The State with this Court on July 14, 2017. Counsel filed the petition for writ of certiorari and accompanying

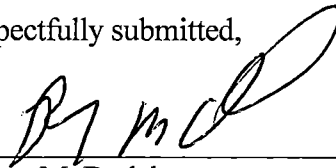
appendix in the case of The State v. Joshua Griffith with this Court on July 5, 2017. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight.**

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

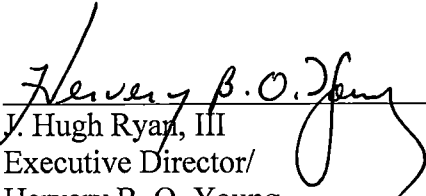
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final three day exigent extension, until September 8, 2017**, in which to file the petition for writ of certiorari and accompanying appendix. Opposing counsel, Rushton Neely graciously consents to this extension request. Counsel will file before the deadline if at all possible. **Counsel regrets the necessity of this unusual extension request.** 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/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

September 5, 2017

I consent:


for _____
Raston W. Neely, Esquire