

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Sumter County
William Jeffrey Young, Circuit Court Judge

RECEIVED

DEC - 5 2012

ERIC RHEA,

S.C. Supreme Court
PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212171

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

Counsel for Eric Rhea respectfully requests a **final thirty (30) day extension, until January 4, 2013**, 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 third request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Mr. Rhea 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 December 4, 2012, counsel filed a petition for writ of certiorari and accompanying appendix in Myra Christenbury v. State in this Court. On November 29, 2012, counsel filed a return to petition for writ of certiorari to the Court of Appeals in State v. Phillip Miller in this Court. On November 26, 2012, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Jason D. Parker v. State in this Court. On November 19, 2012, counsel filed a Johnson petition for writ of certiorari pursuant to Austin v. State in Christian Harris v. State and filed a petition for writ of certiorari and accompanying appendix in Christian Harris v. State with this Court. Counsel also filed a petition for writ of certiorari to the Court of Appeals in State v. Cameron Hammonds with this Court. On November 14, 2012, counsel held an oral argument in State v. Marques Hudson before this Court; and counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Joshua Samuel v. State in this Court. On November 13, 2012, counsel held an oral argument in State v. Ralph Bernard Coleman before the Court of Appeals. On November 8, 2012, counsel filed an initial brief of appellant and designation of matter in The Matter of the Care and Treatment of Calvin Yawn in the Court of Appeals. On October 24, 2012, counsel filed a second petition for rehearing pursuant to a substituted opinion issued by the Court of Appeals on October 10, 2012, in State v. Christopher Manning in the Court of Appeals. On October 22, 2012, counsel filed an initial brief of appellant and designation of matter in The Matter of the Care and Treatment of Bobby Russell in the Court of Appeals; and filed an Anders brief of appellate and designation of matter and accompanying record on appeal in The Matter of the Care and Treatment of Quentin D. Markham in the Court of Appeals. On October 18, 2012, counsel filed a petition for rehearing in State v. Christopher Manning with the Court of Appeals. On October 17, 2012, counsel filed an Anders brief of appellate and designation of matter with accompanying record on appeal in The Matter of the Care and Treatment of John E. Darnell with the Court of Appeals. On October 15, 2012 counsel filed an initial brief of appellate and designation of matter and a Motion to Unseal Records in State v. John Peter Barnes with the Court of Appeals. On October 10, 2012, counsel filed a Johnson petition for writ of certiorari and accompanying appendix in Anthony Franklin v. State in this Court. On

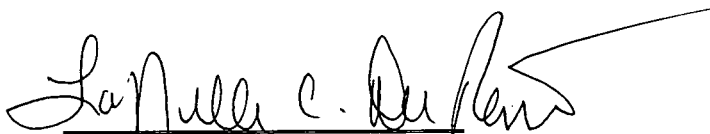
October 9, 2012, counsel filed a Motion to Remand for Reconstruction, of the Record or for a New Trial in State v. Kevin Reed in the Court of Appeals. On October 5, 2012, counsel filed a Motion to Supplement Appendix in Michael Bohannon v. State in this Court.

4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

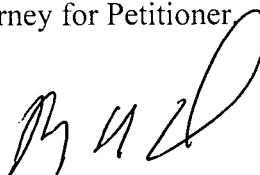
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until January 4, 2013**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

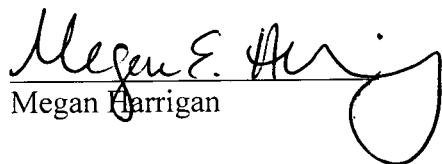
Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 5th day of December, 2012.

I consent:



Megan E. Harrigan