

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Lancaster County

William Jeffrey Young, Circuit Court Judge

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OCT 12 2017

S.C. SUPREME COURT

DAVID A. PATE,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-001261

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

The undersigned counsel respectfully requests a thirty day extension 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 Writ of Certiorari to the Court of Appeals and Appendix in the case of The State of South Carolina v. Preston Ryan Oates with the Supreme Court on October 2, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the

case of The State of South Carolina v. Jalon Ted Taylor with the Supreme Court on October 2, 2017. Counsel filed the Brief of Petitioner in the case of The State of South Carolina v. Darryl Frierson with the Supreme Court on September 21, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. David Smith with the Supreme Court on September 15, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Kevin Tyrone Bryant with the Court of Appeals on September 15, 2017. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Jacob Drotning with the Court of Appeals on September 6, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Latroy D. Sampson with the Court of Appeals on August 30, 2017. Counsel filed the Petition for Writ of Certiorari and Appendix in the case of The State of South Carolina v. Damon Jacquise Jones with the Supreme Court on August 18, 2017. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Robert Joe Frost with the Court of Appeals on August 16, 2017. Counsel filed the Petition for Rehearing in the case of The State of South Carolina v. Preston Ryan Oates with The Court of Appeals on August 9, 2017.


3. 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 thirty day extension. 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,



Kathrine H. Hudgins
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

October 12, 2017

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the petition for extension to file petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon DeShawn H. Mitchell., Esquire, at Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 12th day of October, 2017.



Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR PETITIONER.

SUBSCRIBED AND SWORN TO before me
this 12th day of October, 2017.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 5, 2027.