

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

Certiorari to Williamsburg County

Honorable D. Craig Brown, Circuit Court Judge

RECEIVED

OCT 25 2017

ROGER LEON FORTUNE,

PETITIONER, SUPREME COURT

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001302

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

Counsel for Roger Leon Fortune respectfully requests an extension of thirty (30) 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 Roger Leon Fortune respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

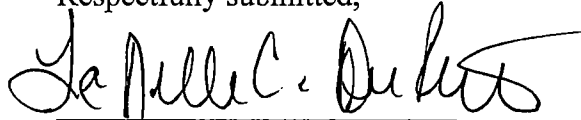
number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the petition for writ of certiorari and the petition for writ of certiorari pursuant to Austin v. State along with the accompanying appendix in the case of Dennis Wright v. State with this Court on October 24, 2017. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of State v. Eric Spears with this Court on October 19, 2017. Counsel filed the petition for writ of certiorari to the Court of Appeals in the case of State v. Demario Monte Thompson with this Court on October 17, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Umar Abdul Clea v. State with this Court on October 12, 2017. Counsel had an oral argument in the case of State v. Johnny Neal Sexton, II with the Court of Appeals on October 4, 2017. Counsel filed the petition for writ of certiorari in the case of John Wayne Brannon v. State with this Court on September 29, 2017. Counsel filed the petition for writ of certiorari in the case of Claude E. Reed v. State with this Court on September 15, 2017. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Robert Henry Osbey v. State with this Court on August 29, 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.

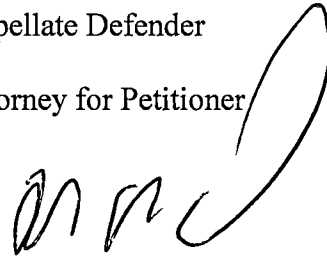
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



LaNelle C. Durant
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

October 25, 2017

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Williamsburg County

Honorable D. Craig Brown, Circuit Court Judge

ROGER LEON FORTUNE,

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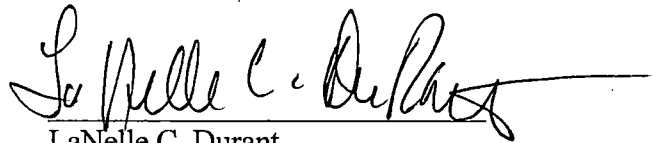
STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001302

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 Julie Coleman, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 25th day of October, 2017.



LaNelle C. Durant
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 25th day
of October, 2017.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: May 2, 2027.