

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County

Robert E. Hood, Circuit Court Judge

ORIGINAL

RECEIVED

OCT 25 2017

S.C. SUPREME COURT
RESPONDENT,

DAVID L. CARMICHAEL,

v.

STATE OF SOUTH CAROLINA,

PETITIONER

Appellate Case No. 2015-000424

**PETITION FOR EXTENSION TO FILE
BRIEF OF RESPONDENT**

The undersigned counsel would respectfully request a **final thirty-day extension, until November 24, 2017**, in which to file the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

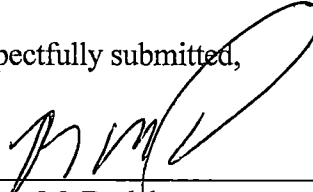
1. The brief of respondent in this case is due to be served and filed today.
2. Counsel, along with co-counsel, David Alexander, is preparing the petition for writ of certiorari to the Supreme Court of the United States in the death penalty case of The State v. Ricky Lee Blackwell that must be filed on Friday, October 27, 2017. Counsel filed the initial brief of appellant and designation of matter in the murder case of The State v. Deshamndon

Markelle Franks with the Court of Appeals on October 13, 2017. Counsel prepared a CLE presentation on the case law update for the Public Defender Convention in Myrtle Beach, South Carolina for September 25, 2017. Counsel also prepared two presentations for the Post-Conviction Relief workshop that was held on Friday, September 29, 2017 at the office of the Commission on Indigent Defense. Counsel is doing research for the petition for writ of certiorari to the Supreme Court of the United States in the death penalty case of The State v. Ricky Lee Blackwell due in late October, 2017. Counsel filed the return to petition for writ of certiorari to the Court of Appeals in the case of The State v. Shannon Scott with this Court September 21, 2017. Counsel filed the brief of petitioner in the case of The State v. James Scott Cross with this Court on September 15, 2017. Counsel filed the petition for rehearing in the case of The State v. Robert Lee Moore with the Court of Appeals on September 14, 2017. Counsel filed the petition for writ of certiorari in the case of Alfonzo J. Howard v. The State with this Court on September 8, 2017. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Edward Primo Bonilla with the Court of Appeals on September 1, 2017. **Counsel also has extensive administrative duties as the Chief Appellate Defender.**

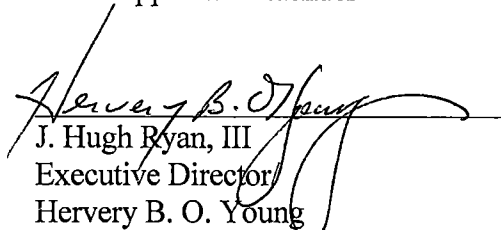
3. This request is made in good faith, and not for purposes of delay.
4. As indicated by his consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request **final thirty-day extension, until November 24, 2017**, in which to file the brief of respondent in this case. Counsel requests that the time limits for filing the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervey B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training Director

October 25, 2017

I DO NOT OPPOSE:



J. Clayton Mitchell, Esquire