

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Darlington County

Honorable G. Thomas Cooper, Circuit Court Judge

EUGENE AUSTIN GARDNER,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2017-001110

PETITION FOR EXTENSION TO FILE THE RETURN TO
PETITION FOR WRIT OF CERTIORARI

The undersigned counsel respectfully requests a **final thirty day extension, until December 29, 2017**, in which to file the return to petition for writ of certiorari in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The return to petition for writ of certiorari in this case are due to be served and filed today.
2. Counsel filed the petition for writ of certiorari in Abbdul O. Emmaunel v. State with this Court on November 20, 2017. Counsel filed the Johnson petition for writ of certiorari in Willie Edwards v. State with this Court on November 17, 2017. Counsel filed the Johnson petition for writ of certiorari in Anthony Q. Robinson v. State with this Court on November 13, 2017. Counsel filed the petition for writ of certiorari in Juan Nimmons v. State with this Court on

November 6, 2017. Counsel filed the initial brief of appellant in State v. Brian Lewis with the Court of Appeals on October 31, 2017. Counsel filed the Johnson petition for writ of certiorari in Robert Lee v. State with this Court on October 25, 2017. Counsel filed the initial reply brief in State v. Robert I. Graham with the Court of Appeals on October 19, 2017. Counsel filed the initial reply brief in State v. Anthony Enriquez with the Court of Appeals on October 17, 2017. Counsel filed the Johnson petition for writ of certiorari in Leron Dingle v. State with this Court on October 4, 2017. Counsel filed the petition for writ of certiorari in Dexter Walcott v. State with this Court on October 2, 2017.

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

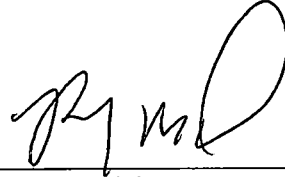
4. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty day extension, until December 29, 2017**. Counsel respectfully requests that the time limits for filing the return to petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



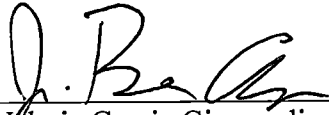
Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

November 29, 2017

I do not oppose:



Valerie Garcia Giovanoli

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