

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Beaufort County
Diane Schafer Goodstein, Circuit Court Judge

 ORIGINAL

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FEB 01 2018

S.C. SUPREME COURT

DARRELL HEYWARD,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001564

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

Counsel for Darrell Heyward respectfully requests an extension of thirty 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:

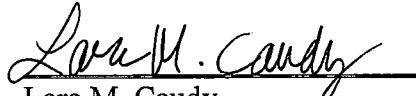
1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.
2. Counsel for Darrell Heyward respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Today, February 1, 2018, counsel will file the initial brief of appellant and designation of matter in The State v. Terrell Smith with the Court of Appeals. On January 31, 2018, counsel filed the petition for rehearing in The State v. Favian A. Hayes with the Court of Appeals. On January 26, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Tre'Vaughn Jackson v. The State with this Court. On January 19, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in Brittany Swanger v. The State with this Court. On January 18, 2018, counsel filed the petition for writ of certiorari and accompanying appendix in David A. Duren v. The State with this Court. On January 11, 2018, counsel had an oral argument in Frankie Lee Bryant, III v. The State before this Court. On January 2, 2018, counsel filed the initial brief of appellant and designation of matter in The State v. Latson Ray Matthews with the Court of Appeals. On December 21, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Anthony Carter v. The State with this Court. On December 13, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in Charles L. Anderson v. The State with this Court. On December 13, 2017, counsel filed the petition for writ of certiorari and accompanying appendix in George J. Williams v. The State with this Court. On December 6, 2017, counsel had an oral argument in The State v. Gerome C. Smith before the Court of Appeals.

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.

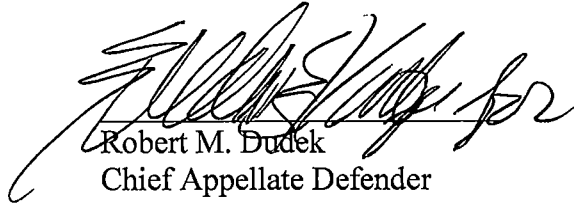
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,

A handwritten signature in cursive script, reading "Lara M. Caudy", written over a horizontal line.

Lara M. Caudy
Appellate Defender

Attorney for Petitioner

A handwritten signature in cursive script, reading "Robert M. Dudek", written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

February 1, 2018

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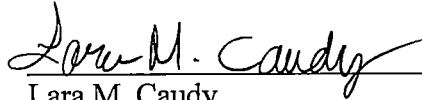
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

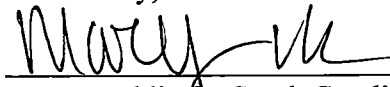
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Christian Saville, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 1st day of February, 2018.



Lara M. Caudy
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 1st day
of February, 2018.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2027.