

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Horry County

Roger E. Henderson, Circuit Court Judge

RECEIVED

FEB 12 2018

S.C. SUPREME COURT

JOHN HENRY SMITH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2017-001550

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

The undersigned counsel respectfully requests a **final thirty day extension, until March 14, 2018**, 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 Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Terrance Lamar Tyson with the Court of Appeals on February 5, 2018. Counsel filed the Anders Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Timothy Adam Hester, Sr. with the Court of Appeals on February

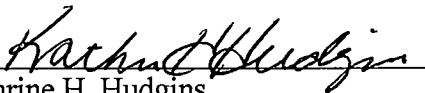
1, 2018. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Johnathan Green with the Court of Appeals on January 19, 2018. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of Albert James Cave v. The State of South Carolina with the Supreme Court on January 12, 2018. Counsel filed the Initial Brief of Appellant and Designation of Matter in the case of The State of South Carolina v. Adrian Vashard Simmons with the Court of Appeals on January 8, 2018. Counsel filed the Brief of Petitioner in the case of The State of South Carolina v. Demetrice R. James with the Supreme Court on December 15, 2017. Counsel filed the Johnson Petition for Writ of Certiorari and Appendix in the case of David A. Pate v. The State of South Carolina with the Supreme Court on December 11, 2017.

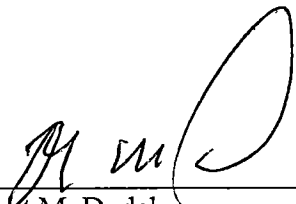
3. As indicated by his consent below, counsel for the state does not oppose this request.

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 March 14, 2018**, in which to file the petition for writ of certiorari and accompanying appendix. 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

February 12, 2018

I do not oppose:


Johnny Ellis James, Jr., Esquire