

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Berkeley County
Honorable William H. Seals, Circuit Court Judge

RECEIVED

MAR 28 2018

BRIAN DELONTE SPANN,

S.C. SUPREME COURT

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2017-002480

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

Counsel for petitioner 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 petitioner 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 his caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Cary Glenn Ryals with the Court of Appeals on March 26, 2018. Counsel had oral arguments before the Court of Appeals in the case of State v. Jonathan Donell Rhodes on March 14, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Gregory Fitzgerald Young v. State with this Court on March 2, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of In the Interest of Channon P., a Juvenile Under the Age of Seventeen with the Court of Appeals on February 28, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Charlie Tyler Robinson v. State with this Court on February 21, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Faron Maurice Clements v. State with this Court on February 12, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Gregory Daniel Price v. State with this Court on January 16, 2018.

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.

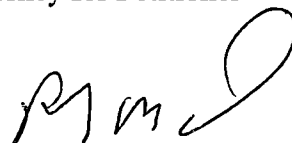
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling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

Respectfully submitted,



Victor R. Seeger
Appellate Defender

Attorney for Petitioner



Robert M. Dudek
Chief Appellate Defender

This 28th day of March, 2018

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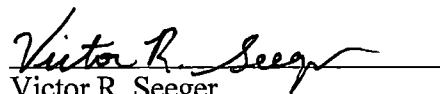
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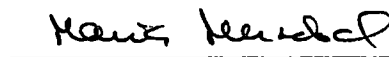
CERTIFICATE OF SERVICE

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 Rasheeda Cleveland, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 28th day of March, 2018.


Victor R. Seeger
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME
this 28th day of March, 2018.

 (L.S.)

Notary Public for South Carolina
My Commission Expires: July 3, 2023.