

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Dorchester County

Honorable Benjamin H. Culbertson, Circuit Court Judge

RANDAL WILLIAM BENTON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2017-002021

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

Counsel for Randal William Benton 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 Randal William Benton 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.

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3. Counsel is filing the petition for writ of certiorari in J' Corey S. Hull-Kilgore v. State with this Court today, April 4, 2018. Counsel filed the initial brief of appellant in State v. Christian Anthony Himes with the Court of Appeals on April 3, 2018. Counsel filed the petition for writ of certiorari in Georgia Woodberry v. State with this Court on March 19, 2018. Counsel filed the brief of petitioner In re Calvin Miller with this Court on March 14, 2018. Counsel had oral argument in the case of State v. Preston Mozeak in the Court of Appeals on March 13, 2018. Along with co-counsel, Counsel filed an amicus brief in Conrad Slocumb v. State with this Court on March 8, 2018. Counsel filed the initial reply brief in State v. Terrence Frazier with the Court of Appeals on March 8, 2018. Counsel had oral argument in the case of State v. Johnnie Lawson in the Court of Appeals on March 6, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Richard Capell with this Court on March 5, 2018. Counsel filed the petition for rehearing in State v. Billy Phillips with the Court of Appeals on March 1, 2018. Counsel filed the petition for writ of certiorari in Christopher Seabrook v. State with this Court on February 26, 2018. Counsel filed the petition for writ of certiorari to the Court of Appeals in State v. Esaiveus Booker with this Court on February 20, 2018.

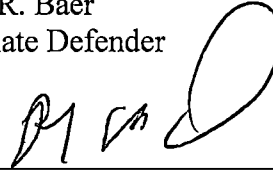
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

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,



Laura R. Baer
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

Attorney for Petitioner

April 4, 2018

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IN THE SUPREME COURT

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Honorable Benjamin H. Culbertson, Circuit Court Judge

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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 Christian Saville, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 4th day of April, 2018.



Laura R. Baer
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 4th day
of April, 2018.

 (L.S.)

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