

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Horry County

Honorable William H. Seals, Circuit Court Judge

RECEIVED  
SEP 24 2018  
S.C. SUPREME COURT

KRISTY MERRITT RICH,

PETITIONER,

V.

STATE OF SOUTH CAROLINA

RESPONDENT

APPELLATE CASE NO. 2018-000524

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

Counsel for Kristy Merritt Rich 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 Kristy Merritt Rich 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. Counsel is presently preparing for an oral argument in State v. John Calvin Sledge, to be held before the Court of Appeals on October 1, 2018, and is attending the Public Defender Conference in Myrtle Beach, South Carolina from September 23-25, 2018. Counsel filed the initial brief of respondent in State v. Ronald Hakeem Mack with the Court of Appeals on September 10, 2018. Counsel filed the petition for writ of certiorari in Kenyon Brown v. State with this Court on August 15, 2018. Counsel filed the amended petition for writ of certiorari to the Court of Appeals in Billy Phillips v. State with this Court on August 7, 2018. Counsel filed the brief of petitioner in Kevin Casey v. State with the Court of Appeals on July 30, 2018. Counsel appeared for a status conference in State v. Michael Smith at the Kershaw County Courthouse on July 27, 2018, and is presently working on a reconstruction affidavit and proposed order for the case. Counsel filed the Anders brief of appellant in State v. Christopher Byars with the Court of Appeals on July 23, 2018. Counsel filed the petition for writ of certiorari pursuant to Austin v. State in William P. Deaton v. State with the Court of Appeals on July 20, 2018. Counsel filed the brief of petitioner in Anthony Martin v. State with this Court on July 17, 2018.

4. Counsel makes this request in good faith and not for purpose of delay.

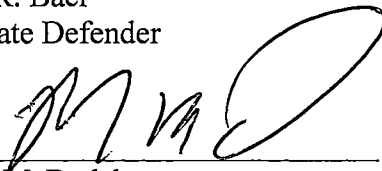
5. Counsel for the Attorney General's office has been informed of this request.

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

September 24, 2018

Attorney for Petitioner

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Horry County  
Honorable William H. Seals, Circuit Court Judge  
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KRISTY MERRITT RICH,

PETITIONER,

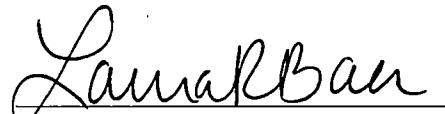
V.

STATE OF SOUTH CAROLINA

RESPONDENT

\_\_\_\_\_  
CERTIFICATE OF SERVICE  
\_\_\_\_\_

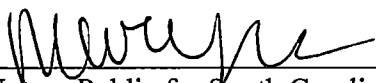
I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Johnny James, Jr., Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 24th day of September, 2018.



Laura R. Baer  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 21st day  
of September, 2018.

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