

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

 ORIGINAL

Appeal from Horry County
William H. Seals, Circuit Court Judge

RECEIVED

SEP 28 2018

S.C. SUPREME COURT

RICHARD B. NILES, JR.,

PETITIONER,

V.

THE STATE,

RESPONDENT.

APPELLATE CASE NO. 2018-000396

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

Counsel for Richard B. Niles, Jr. respectfully requests a **final thirty (30) day extension, until October 29, 2018**, 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 third 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. The Court has granted counsel two previous extensions.
2. Counsel for Richard B. Niles, Jr. 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. On September 24 – 26, 2018, counsel attended the Public Defender Convention in Myrtle Beach, South Carolina. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Johnny Lee Paden v. The State with the Court of Appeals on September 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Wilton Q. Greene v. The State with this Court on August 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Christopher Hart with the Court of Appeals on August 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Randy Wright with the Court of Appeals on August 22, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony B. Lay v. The State with this Court on August 15, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Cole Brooks Gray with the Court of Appeals on August 10, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Marty Baggett v. The State with this Court on August 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jeffrey Michaelson v. The State with this Court on July 30, 2018. Counsel filed the petition for writ of certiorari with the accompanying appendix in the case of Steven Randall Cobb v. The State with this Court on July 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Devante Antonio Grant with the Court of Appeals on July 20, 2018.

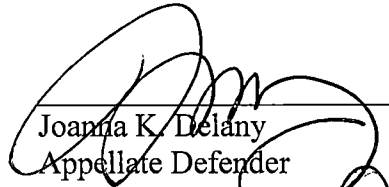
4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office has been informed of this request as shown by signature below.


WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until October 29, 2018**, 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 for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

This 28th day of September, 2018.

Respectfully submitted,

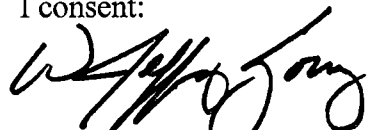


Joanna K. Delany
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

I consent:

 Chief Deputy AL

Johnny James, Jr., Esquire