

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Greenville County
Robin B. Stilwell, Circuit Court Judge

ORIGINAL

BRANDON HENERY SCHMAUS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

RECEIVED

OCT 01 2018

APPELLATE CASE NO. 2018-000729

S.C. SUPREME COURT

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

Counsel for Brandon Henery Schmaus respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and accompanying 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:

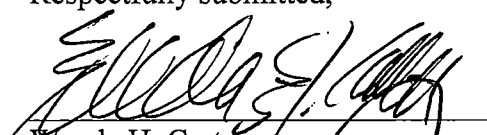
1. The petition for writ of certiorari and accompanying appendix are due to be served and filed with the Court today.
2. Counsel for Brandon Henery Schmaus respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions 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 filed the petition for writ of certiorari and accompanying appendix in the case of Johnny James Hemphill v. State in the Supreme Court on October 1, 2018. Counsel filed the return to petition for writ of certiorari in the case of Hubert Brown v. State in the Supreme Court on September 28, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of William Coaxum v. State in the Supreme Court on September 20, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Devante Simmons v. State in the Supreme Court on September 20, 2018. Counsel filed the return to petition for writ of certiorari in the case of Christopher E. Russell v. State in the Supreme Court on September 6, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Anthony Derone Richardson v. State in the Supreme Court on September 6, 2018. Counsel filed the Anders brief of appellant pursuant to White v. State in the case of Anthony Derone Richardson v. State in the Supreme Court on September 6, 2018. Counsel filed the brief of respondent in the case of Brandon Harley Eaton v. State in the Supreme Court on September 4, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Major Donnard Dubose III in the Court of Appeals on August 29, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jermaine Cobbs v. State in the Supreme Court on August 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Nathaniel McMillian v. State in the Supreme Court on August 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Brittany Lewis v. State in the Supreme Court on August 13, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Reagan v. State in the Supreme Court on August 6, 2018. Counsel filed the petition for rehearing in the case of State v. Joe Ross Worley in the Court of Appeals on August 1, 2018.

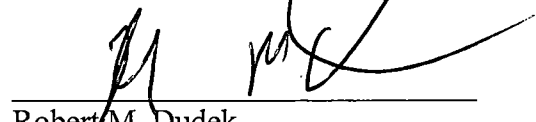
4. Counsel makes this request in good faith and not for purpose of delay.
5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and accompanying 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,



Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 1st day of October, 2018.

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IN THE SUPREME COURT

Certiorari to Greenville County
Robin B. Stilwell, Circuit Court Judge

BRANDON HENERY SCHMAUS,

PETITIONER

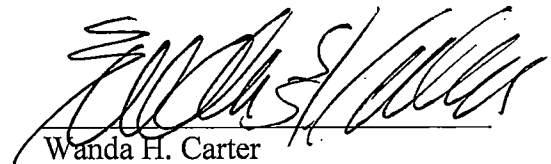
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

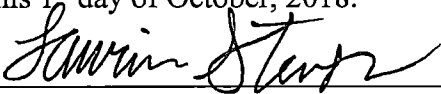
I certify that a copy of the Motion for an Extension of Time in which to file the petition for writ of certiorari and accompanying appendix in the above referenced case has been served upon DeShawn H. Mitchell, Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 1st day of October, 2018.



Wanda H. Carter
Deputy Chief Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 1st day of October, 2018.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 5, 2027.