

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

BRANDON HENERY SCHMAUS,

PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-000729

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

Counsel for Brandon Henery Schmaus respectfully requests a **final thirty (30) day extension, until November 30, 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 Brandon Henery Schmaus respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the

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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 Tamar Brown v. State in the Supreme Court on October 31, 2018. Counsel filed the brief of appellant pursuant to White v. State in the case of Johnny Tamar Brown v. State in the Supreme Court on October 31, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis Ford v. State in the Supreme Court on October 19, 2018. Counsel filed the Johnson petition for writ of certiorari pursuant to Austin v. State in the case of Travis Ford v. State in the Supreme Court on October 19, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Katherine Lathara Anne Seabrook in the Court of Appeals on October 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Donnie Ray Gibson v. State in the Supreme Court on October 15, 2018. Counsel filed the 2nd Petition for Rehearing in the case of State v. Joe Ross Worley in the Court of Appeals on October 12, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Mitchell Leon Hames v. State in the Supreme Court on October 5, 2018. 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.

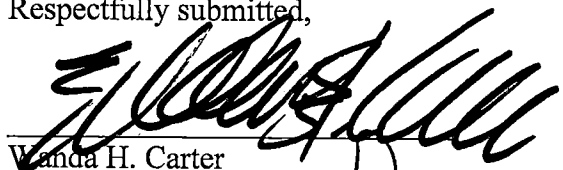
4. Counsel makes this request in good faith and not for purpose of delay.

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

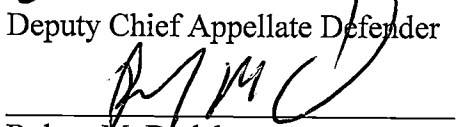
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until November 30, 2018**, in which to file the Petition for Writ of Certiorari and Appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

This 31st day of October, 2018.

Respectfully submitted,



Wanda H. Carter
Deputy Chief Appellate Defender



Robert M. Dudek
Chief Appellate Defender

I consent:



DeShawn H. Mitchell, Esquire