

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

ORIGINAL

Certiorari to Darlington County

Honorable G. Thomas Cooper, Circuit Court Judge

RECEIVED

OCT 31 2018

EUGENE AUSTIN GARDNER, III.,

S.C. SUPREME COURT

RESPONDENT,

V.

THE STATE,

PETITIONER

APPELLATE CASE NO. 2017-000881

PETITION FOR EXTENSION TO FILE  
BRIEF OF RESPONDENT

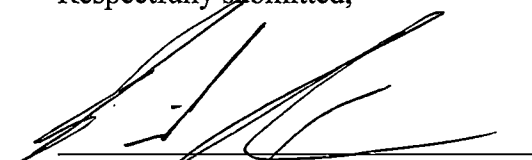
The undersigned counsel would respectfully request a thirty day extension in which to file the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The brief of respondent in this case is due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel filed the brief of petitioner in the case of Antrell Rashawn Felder v. The State with this Court on October 24, 2018. Counsel filed the initial brief of respondent and designation of matter in the case of The State v. Bruce Stanley Jones with the Court of Appeals on October 19, 2018. Counsel had an oral argument in the case of The State v. Jimmy Turner before

this Court on October 17, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kenneth Collins with the Court of Appeals on October 9, 2018. Counsel had an oral argument in the case of The State v. Robin Herndon with the Court of Appeals on October 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Leon Barksdale with the Court of Appeals on October 8, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Travis Napoleon Davis v. The State with this Court on October 8, 2018. Counsel attended the state Public Defender Convention in Myrtle Beach, South Carolina on September 24, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Keiron Coleman v. The State with this Court on September 21, 2018. Counsel had an oral argument in the case of The State v. Corey J. Williams with this Court on September 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Jose Cabarruvias v. The State with this Court on September 17, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Conrad Antonio Allen v. The State with this Court on August 31, 2018. This request is made in good faith, and not for purposes of delay.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension in which to file the brief of respondent in this case. Counsel requests that the time limits for filing the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander  
Appellate Defender

October 31, 2018

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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EUGENE AUSTIN GARDNER, III.,

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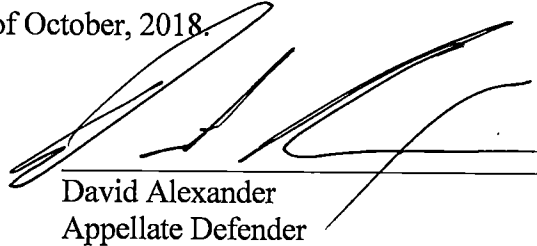
APPELLATE CASE NO. 2017-000881

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CERTIFICATE OF SERVICE

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I certify that a true copy of the motion for an extension of time in which to file the brief of respondent in the above referenced case has been served upon Johnny James, Jr., Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 31st day of October, 2018.



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David Alexander  
Appellate Defender

ATTORNEY FOR RESPONDENT

SUBSCRIBED AND SWORN TO before me  
this 31st day of October, 2017.

Courtney Powers (L.S.)  
Notary Public for South Carolina  
My Commission Expires: May 2, 2027.