

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Richland County
G. Thomas Cooper, Jr., Circuit Court Judge

DARNELL KHAN,

RECEIVED
NOV 14 2018
S.C. SUPREME COURT
PETITIONER

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001282

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

Counsel for Darnell Khan 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 Darnell Khan 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 his 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 Dominique J. Shumate v. The State with this Court on November 14, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Edward L. Morris v. The State with this Court on November 9, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Nelson Sentelle Cook with the Court of Appeals on October 31, 2018. Counsel filed the Petition for Writ of Certiorari with the appendix in the case of Larry James Tyler v. The State with the Court of Appeals on October 31, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Kevin McDaniels with the Court of Appeals on October 23, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Rusty Antron Jones with the Court of Appeals on October 17, 2018. 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 Dwayne Lee Rudd v. The State with this Court on September 21, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Michael Browning v. The State with this Court on September 21, 2018. Counsel filed the Petition for Writ of Certiorari and accompanying appendix in the case of Shonathan M. Jeter v. The State with this Court on September 5, 2018.

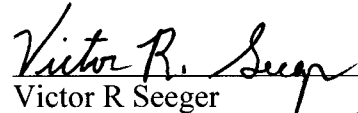
4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office has been informed of this request and consented in advance on Friday, November 9, 2018 to this extension request.

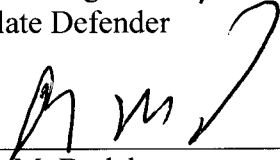
WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the Petition for Writ of Certiorari and Appendix in this case based

upon the above exigent circumstances. Counsel requests that time limits for filing the Petition for Writ of Certiorari and Appendix be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Victor R Seeger
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

This 14th day of November, 2018.

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Richland County
G. Thomas Cooper, Jr., Circuit Court Judge

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S.C. SUPREME COURT

DARNELL KHAN,

PETITIONER

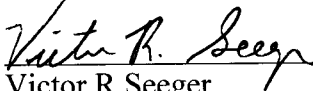
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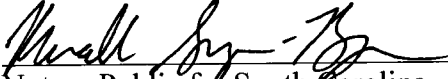
CERTIFICATE OF SERVICE

I certify that a copy of the Motion for an Extension of Time in which to file the Petition for Writ of Certiorari and Appendix in the above referenced case has been served upon Lindsey McCallister, Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Columbia, SC 29201, this 14th day of November, 2018.


Victor R Seeger
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 14th day of November, 2018.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 26, 2028.