

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Aiken County

J. Mark Hayes, II, Circuit Court Judge

DAGGART B. FRAZIER,

V.

STATE OF SOUTH CAROLINA

RESIDENT
SUPREME COURT

PETITIONER

APPELLATE CASE NO. 2018-000033

**MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE
RETURN TO PETITION FOR WRIT OF
CERTIORARI**

Counsel for Daggart B. Frazier respectfully requests an extension of thirty (30) days in which to file the return to petition for writ of certiorari 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 return to petition for writ of certiorari is due to be served and filed with the Court today.
2. Counsel for Daggart B. Frazier 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.

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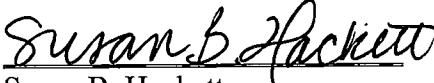
3. Counsel will file the petition for writ of certiorari and accompanying appendix in the case of Shawn Reaves v. State in this Court today, November 14, 2018. Counsel filed the reply brief of petitioner in the case of Erin Darien v. State in this Court on November 9, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of David Penn v. State in this Court on November 1, 2018. Counsel filed the Motion to Dismiss as Moot in the case of State v. Jamie Simpson in the Court of Appeals on October 26, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Corey Sparkman in the Court of Appeals on October 25, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marquis Robinson v. State in this Court on October 22, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. John William McCarty in the Court of Appeals on October 17, 2018. Counsel filed the return to petition for writ of certiorari in the case of State v. Steven Otts in this Court on October 12, 2018. Counsel filed a petition for rehearing in the case of State v. Benjamin Cervantes Hernandez in the Court of Appeals on October 8, 2018. Counsel attended a PCR hearing at the Charleston County Courthouse in the case of Alan L. Burns v. State of South Carolina on October 5, 2018. Counsel filed the brief of petitioner in the case of William McCladdie v. State in the Court of Appeals on October 4, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Richard Todd Culberson v. State in this Court on October 1, 2018. Counsel attended the 2018 Annual Public Defender Conference from September 23 through September 26, 2018 in Myrtle Beach, S.C. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marvin Xavier Porcher v. State in this Court on September 21, 2018. Counsel filed the initial brief of appellant in the case of State v. Ricky Esaw in the Court of Appeals on September 17, 2018.

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

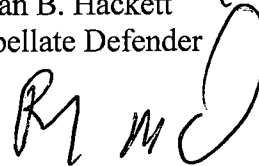
5. Counsel for the Attorney General's office has been informed of this request and consented in advance on Friday, November 9, 2018.

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



Susan B. Hackett
Appellate Defender



Robert M. Dudek
Chief Appellate Defender

November 14, 2018

Attorney for Respondent

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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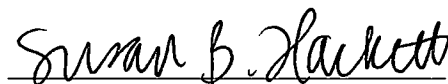
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CERTIFICATE OF SERVICE

S.C. SUPREME COURT

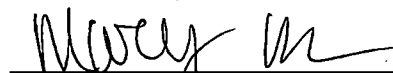
I certify that a true copy of the motion for an extension of time in which to file the return to petition for writ of certiorari in the above case has been served upon Megan H. Jameson, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 14th day of November, 2018.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR RESPONDENT

SWORN TO BEFORE ME this 14th day
of November, 2018.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: May 12, 2027.