

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Darlington County

Honorable G. Thomas Cooper, Circuit Court Judge

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EUGENE AUSTIN GARDNER, III.,

v.

THE STATE,

PETITIONER

APPELLATE CASE NO. 2017-000881

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE BRIEF OF RESPONDENT

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Counsel for Eugene Austin Gardner, III., respectfully requests a **final thirty (30) day extension, until December 31, 2018**, in which to file the brief of respondent in this case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The brief of respondent is due to be filed with the Court today. The Court has granted counsel two previous extensions.

2. Counsel had an oral argument in the case of In The Matter of the Care and Treatment of Daryl T. Snow before this Court on November 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Justin Adams with the Court of Appeals on November 26, 2018. Counsel filed the brief of appellant in the case of The State v.

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RESPONDENT  
SUPREME COURT

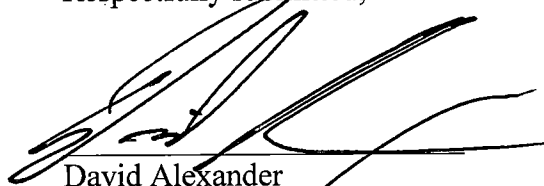
Jamal Marquis Daniels with the Court of Appeals on November 19, 2018. Counsel filed the initial brief of petitioner in the case of The State v. Gerald Williams with this Court on November 16, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Derrick Porter with the Court of Appeals on November 14, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Chadwick Cribb 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. Quadrik Willis with the Court of Appeals on November 7, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Michael Wilson v. The State with this Court on November 5, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. Tyrone Robinson with the Court of Appeals on November 2, 2018. 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.

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

5. Counsel for the Attorney General's office consents to this request as shown by signature below.

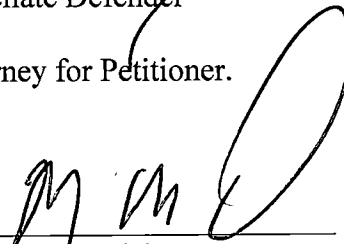
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until December 31, 2018**, in which to file the brief of respondent in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



David Alexander  
Appellate Defender

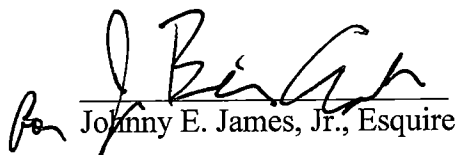
Attorney for Petitioner.



Robert M. Dudek  
Chief Appellate Defender

This 30th day of November, 2018.

I consent:



Johnny E. James, Jr., Esquire