

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

\_\_\_\_\_  
Certiorari to Sumter County

Honorable DeAndrea G. Benjamin, Circuit Court Judge  
\_\_\_\_\_

WILBERT JOHNSON FRANKLIN,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

Appellate Case No. 2018-000845  
\_\_\_\_\_

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

Counsel for Wilbert Johnson Franklin respectfully requests a **final thirty (30) day extension, until January 7, 2019**, 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 filed with the Court today. The Court has granted counsel two previous extensions.
2. Counsel for Wilbert Johnson Franklin 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.

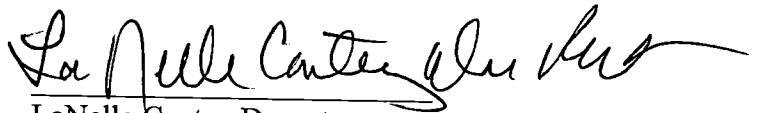
3. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Tyrone Deangelo Fleming in the Court of Appeals on December 5, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Kairon Brenton Maldonado v. State in the Supreme Court on December 5, 2018. Counsel was a guest speaker at the Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Ashley Hammitt in the Court of Appeals on November 26, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Thomas Tiedemann v. State in the Supreme Court on November 26, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of State v. Carlon Eugene Weathers, Jr. in the Court of Appeals on November 20, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of James Allen Johnson v. State in the Supreme Court on November 20, 2018. Counsel filed the brief of appellant pursuant to White v. State in the case of State v. Harry James Roller in the Supreme Court on November 14, 2018. Counsel filed the petition for writ of certiorari, accompanying appendix and supplemental appendix in the case of Harry Roller James v. State in the Supreme Court on November 14, 2018. Counsel filed the Johnson petition and accompanying appendix in the case of Joe Louis Bailey v. State in the Supreme Court on November 13, 2018. Counsel had an oral argument in the case of In the Interest of: Jairus J. V. before the Court of Appeals on November 7, 2018. Counsel filed the Anders brief of appellant and designation of matter in the case of Hilton Rhodereques Hayes v. State in the Court of Appeals on November 5, 2018. Counsel filed the Johnson petition and accompanying appendix in the case of David Lorance Adams in the Supreme

Court on November 5, 2018. Counsel filed the *pro se* petition on behalf of petitioner in the case of Alonzo Columbus Jeter v. State in the Supreme Court on November 2, 2018, pursuant to the Supreme Court Order dated September 21, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Matthew Jacob Eder in the Court of Appeals on October 23, 2018. Counsel had an oral argument in the case of The State v. Daniel Martinez Herrera before the Supreme Court on October 17, 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.

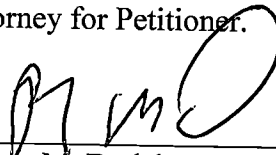
WHEREFORE, the undersigned counsel would respectfully request a **final thirty (30) day extension, until January 7, 2019**, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,



LaNelle Cantey Durant  
Appellate Defender


Attorney for Petitioner.



Robert M. Dudek  
Chief Appellate Defender

This 7th day of December, 2018

I consent:

  
Megan H. Jameson, Esquire