

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Aiken County

R. Scott Sprouse, Circuit Court Judge

RECEIVED

DEC 21 2018

S.C. SUPREME COURT

BRIAN Z. MORTON,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2018-001205

**PETITION FOR EXTENSION TO FILE
PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

The undersigned counsel would respectfully request a **final thirty-day extension, until January 21, 2019** in which to file the petition for writ of certiorari and appendix in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

1. The petition for writ of certiorari and appendix in this case are due to be served and filed today, having been extended by two prior orders of this Court.
2. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Donald R. Dollard v. State in this Court on December 17, 2018. Counsel

filed a petition for rehearing in the case of State v. Marcus Channing Johnson in the Court of Appeals on December 14, 2018. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Halden Lamont Hollman v. State in this Court on December 12, 2018. Counsel testified during a PCR hearing at the Charleston County Courthouse in the case of Alan L. Burns v. State of South Carolina on December 4, 2018. Counsel had an oral argument in the case of State v. Stacy Carol Riden with the Court of Appeals on December 3, 2018. Counsel was a guest speaker at the 2018-2019 Appellate Practice Project: Presenting Cases to the Appellate Courts seminar on November 30, 2018. Counsel filed the brief of petitioner in the case of Mykel Johnson v. State in the Court of Appeals on November 29, 2018. Counsel filed the initial brief of appellant and designation of matter in the case of State v. Demontay Payne in the Court of Appeals on November 26, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Eric Lamont Owens v. State in this Court on November 26, 2018. Counsel was a guest speaker at the Public Defense 101: Fundamentals of the Profession 101 seminar on November 19, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Shawn Reaves v. State in this Court on November 14, 2018. Counsel filed the reply brief of petitioner in the case of Eric Darien v. State in this Court on November 9, 2018. Counsel had an oral argument in the case of State v. Michael Scott Simmons with this Court on November 7, 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

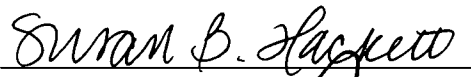
October 25, 2018. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Marquis Robinson v. State in this Court on October 22, 2018.

3. This request is made in good faith, and not for purposes of delay.


4. As indicated by her consent below, counsel for the state graciously consents to or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a **final thirty-day extension, until January 21, 2019** in which to file the petition for writ of certiorari and appendix in this case. Counsel requests that the time limits for filing the petition for writ of certiorari be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Susan B. Hackett
Appellate Defender


Robert M. Dudek
Chief Appellate Defender

December 21, 2018

I DO NOT OPPOSE:


Megan Harrigan Jameson, Esquire